

**REPORTING STUDENTS UNDER THE INFLUENCE OF OR
POSSESSING ALCOHOLIC BEVERAGES OR CONTROLLED
DANGEROUS SUBSTANCES**

The possession or use of certain drugs is a serious violation of the law and is punishable by fine and/or imprisonment. A student is required to know the laws about drugs and is required to obey the same laws on school grounds as elsewhere. Schools are a part of society and are subject to the same laws as the rest of society. Accordingly, students and school authorities have the same responsibility as every other citizen to report violations of law. It should be noted that school discipline will be imposed independently of court action. Students may be temporarily suspended, or given a lengthy suspension for possession or use of illegal drugs or a controlled substance, but the lengthy suspension may follow a hearing and review in the same manner as a lengthy suspension for any other offense, if proper written notice of appeal is filed by the student suspended.

When a student is suspected of being in violation of federal, state, or local law for possession, use, or distribution of any illegal drug or controlled substance, the local law enforcement agency should be notified immediately. The superintendent or a designee should communicate all available information to the police and offer the full cooperation of the administration and faculty to a police investigation. Immediate notification will also be given to the parent or guardian and to the home high school principal of secondary students.

It is the policy of the Southwest Technology Center Board of Education that any administrator, teacher, or counselor who has reasonable suspicion that a student may be under the influence of, or has in his or her possession, alcoholic beverages - including the legally nonintoxicating beverage commonly referred to as 3.2 beer (low-point beer) - or a controlled dangerous substance as defined by law shall immediately notify the appropriate administrator or designee of such suspicions. The administrator or designee shall immediately notify the superintendent or designee and a parent or legal guardian and the home high school principal of a secondary student of said student's possession of a controlled or counterfeit substance or suspected abuse thereof.

Any search, seizure, or subsequent disciplinary action shall be subject to applicable school policies, regulations, state laws, or student handbook rules.

No officer or employee of Southwest Technology Center or member of the Southwest Technology Center Board of Education shall be subject to any civil liability for any statement, report, or action taken in assisting or referring for assistance any medical treatment, social service agency or facility, any student reasonably believed to be abusing or incapacitated by the use of non-intoxicating beverages, alcoholic beverages, or a controlled dangerous substance unless such assistance or referral was made in bad faith or with malicious purpose.

Every administrator, teacher, or counselor employed by the board of education who has reason to believe that a student is under the influence of, or has possession of, alcoholic beverages (including 3.2 beer) or a controlled dangerous substance and who reports such information to appropriate school officials shall not be subject to civil liability unless such referral was made in bad faith or with malicious purpose.

This policy shall be distributed to each classroom teacher. Receipt shall be acknowledged in a form to be determined by the superintendent.

**REPORTING STUDENTS UNDER THE INFLUENCE OF OR POSSESSING
ALCOHOLIC BEVERAGES OR CONTROLLED DANGEROUS SUBSTANCES (Cont.)**

REFERENCE: 70 O.S. §24-138
63 O.S. §2-101, et seq.
70 O.S. §24-102
37 O.S. §163.2

CROSS-REFERENCE: Student Handbooks

NOTE: A copy of this policy must be filed with the State Superintendent of Public Instruction in accordance with 70 O.S. §24-138. While the cited statute requires only that school districts develop a written policy requiring only *teachers* to report students under the influence of certain substances, the State Department of Education has interpreted the civil liability exemption statute (70 O.S. §24-132) as requiring school administrators, teachers, or counselors to make such reports. Therefore, a school district's policy may be written to require reporting by administrators, teachers, and counselors.

Adopted: January 1994 as policy P-142 and policy S-168
Revised: November 1995