

Policy Title: Student Conduct: Smoking, Alcohol, and Drug Use Policy No: 502.03

Section 18-1502-A of the Idaho Code pertains to the use of tobacco by a minor. The basic premise for this Section of the law states that it is a misdemeanor for a minor to use or have in possession tobacco of any kind.

TOBACCO USE

The Board of Trustees recognizes that tobacco use by students presents a health and safety hazard that can have serious consequences for both users and nonusers and the school environment.

The Board prohibits tobacco use and possession by students at any time in a school building or on any school property, buses, vans, or vehicles that are owned, leased, or controlled by the District. Tobacco use and possession by students is also prohibited at school-sponsored activities that are held off school property.

The District may initiate discipline according to the District's Student Discipline policy and/or prosecution of a student who possess or uses tobacco in violation of this Policy.

For the purposes of this Policy, tobacco use shall be defined as the use and/or possession of a lighted or unlighted cigarette, cigar, pipe, smokeless tobacco in any form, and other smoking products specifically including electronic cigarettes, electronic nicotine delivery systems, or vaporizer smoking devices. Student involvement in such activity shall be subject to suspension and/or recommendation for expulsion from school at the discretion of the school administration.

1. First offense will be referred to law enforcement for citation under Idaho Code. The school counselor will be notified and appropriate support offered as necessary.
2. Second offense will be referred to law enforcement for citation under Idaho Code. The school counselor will be notified and appropriate support offered as necessary.
3. Third offense will be referred to the Board of Trustees for expulsion, and referred to law enforcement for citation under Idaho Code.

ALCOHOL USE

The drinking and/or possession of alcoholic beverages by students on or in all school properties or during school-sponsored activities are prohibited.

ALCOHOLIC BEVERAGES

All persons found in violation will be referred to law enforcement for citation under Idaho Code 23-949 and 23-612. Idaho Code 18-1502 will apply to persons under 21 years of age. Student involvement in such activity shall be subject to suspension and/or recommendation for expulsion from school at the discretion of the school administration.

The administration shall cooperate with the local, state, and federal narcotic agencies in the detection, prevention, and prosecution of any and all possible violations.

OTHER DRUG USE

Persons in possession of or under the influence of illegal or illicit drugs of any kind or attempting to sell or use said drugs are to be immediately reported to law enforcement authorities. Student involvement in such activity shall be subject to suspension and/or recommendation for expulsion from school at the discretion of the school administration. The administration shall cooperate with the local, state, and federal narcotic agencies in the detection, prevention, and prosecution of any and all possible violations.

PRELIMINARY STATEMENT

The unlawful possession and illicit use of tobacco, drugs, and alcohol in any District school is deemed to be wrong and harmful. Further, Idaho Code clearly prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises, or as a part of any school function or activities.

Disciplinary sanctions consistent with policies set by the Board of Trustees, administrative policies at each building level, and local, State and federal laws, up to and including expulsion and referral for prosecution, will be imposed on students who violate the standards of conduct outlined in this policy.

It is the policy of the St. Maries Joint School District No. 41 that any student who uses, sells, transmits, or traffics in any substance; including alcohol, should receive professional assistance and treatment as appropriate.

The administration is hereby directed to provide education that is designed to foster an understanding of the dangers of tobacco, alcohol, and drug usage.

Compliance with this Policy is mandatory.

Policy Cross Reference:

Policy 502.02	Suspension and Expulsion
Policy 502.07	Discipline

Legal Reference:

Idaho Code 18-1502	Beer, Wine or Other Alcohol Age Violations - Fines
Idaho Code 33-1605	Health and Physical Fitness – Effects of Alcohol, Tobacco, Stimulants and Narcotics
Idaho Code 39-5703	Possession, Distribution, or Use by a Minor

Policy History:

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