

DRUG FREE/ALCOHOL FREE ENVIRONMENT, STUDENTS – Safety No. 3

September 2011
Date Approved

August 2014
Date Amended

Date Deleted

The schools of the Catholic Diocese of Biloxi are committed to doing whatever is necessary to ensure that students, both at school and at school sponsored activities, enjoy a drug-free/alcohol-free environment.

Therefore, the administrator of each school reserves the right to:

- confront students if there is reasonable suspicion of possession or use of illegal drugs or alcohol
- search students’ lockers, personal belongings, cars and persons
- use drug-sniffing dogs on campus
- call upon the police for assistance
- require drug testing of students in accordance with the following policy, **Safety No. 3 ADDENDUM**

Any evidence of possession with intent to sell and/or distribute or transfer of drugs and/or alcohol on the school grounds or at a school sponsored activity shall warrant suspension or possible expulsion. Additionally, any evidence of sale and/or distribution shall result in student(s) being reported to the local law enforcement agency and shall warrant suspension or possible expulsion.

(Standard 3, 4, 8, 36)

DRUG FREE/ALCOHOL FREE ENVIRONMENT, STUDENTS – Safety No. 3 ADDENDUM

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Catholic Diocese of Biloxi Schools
Substance Abuse Program

Philosophy:

The Catechism of the Catholic Church states that: The political community has a duty to honor the family, to assist it, and to ensure especially ...the protection of security and health, especially with respect to dangers like drugs, pornography, alcoholism, etc....The use of drugs inflicts very grave damage on human health and life. Their use, except on strictly therapeutic grounds, is a grave offense. Clandestine production *of* and trafficking *in* drugs *are* scandalous practices. They *constitute* direct cooperation *in* evil, since they encourage people to practices gravely contrary to the moral law.

Objectives:

- Ensure the health and welfare of all participants is maintained
- Provide institutional confidence for parent(s)/guardian(s), students, and community
- Create an atmosphere conducive to the teaching and learning environment
- Establish a school culture which will bring pride and enthusiasm to the institution

Goals:

- Define Drugs
- Define Drug Abuse
- Describe adverse implications of drug abuse (Human)
- Describe adverse implications of drug abuse (Society)
- Define roles of administration, parent(s)/guardian(s), and students

SCREENING POLICY and PROCEDURE

Policy:

As a condition of enrollment, all students enrolled in grades seven through twelve within the Diocese of Biloxi may be subjected to drug and alcohol screening to determine if a student is using drugs or alcohol. Aside from being illegal for minors to consume alcohol and the illegal nature of using drugs or prescription medications without or inconsistent with a prescription, it is recognized the use of such substances poses a health risk to students using the substances and poses a safety risk to students around them. Furthermore, it detracts from an atmosphere conducive to learning and undermines the school culture to bring pride and enthusiasm to the institution. Any use of drugs, improper use of prescription medications or the use of alcohol shall be considered drug abuse and a violation of this policy. Therefore, as a condition of enrollment, students and parent(s)/guardian(s) shall have consented to potential screening pursuant to the policy of the Diocese of Biloxi and the Department of Education.

Screening:

At this time, there will be no random screening for drugs and alcohol within the Catholic Diocese of Biloxi. However, parents may voluntarily request a screening at any time and must contact the principal of the school. Parents must agree to the following:

- Screening will consist of hair analysis or saliva swab for drugs and breathalyzer for alcohol
- Breathalyzer or urinalysis is at principal's discretion and can be done on or off-site
- Hair sample or saliva swab must be collected by school and sent to an approved local drug screening company
- Results must be shared with only the principal of the school where child attends
- Costs for voluntary screening must be borne by parents

All parties must agree to the strictest of confidentiality and should sign an agreement to that effect.

Reasonable Suspicion Testing:

In addition, a student will be required to submit to an immediate drug screening if

- the student has been found with drugs on her/his person or in or among her/his property or if
- there is reasonable suspicion, which is defined as sufficient reasons or basis in fact to give rise to a reasonable belief that the student has drugs or alcohol in her/his system. Reasonable suspicion may be based upon, among other things:
 - conduct that indicates the presence of drugs or alcohol in an individual's system, including affected behavior, speech, and/or body odors; and,
 - other behavior that would indicate that an individual is in other than a sober and reliable state, free from the influence of drugs and/or alcohol.

Scope of Screening:

Each school within the Diocese of Biloxi will utilize the services of an approved local drug screening company unless otherwise notified by the Diocesan Department of Education, screening will consist of breathalyzer (for alcohol) and/or hair analysis (for drugs). These tests will include, but may not be limited to determination of the presence or absence of alcohol, or drugs, including, but not limited to, methamphetamines, cocaine, opiates, phencyclidine, cannabinoids (marijuana and hashish) and prescription narcotics.

Consequences for Positive Test Results:

First Offense: student shall:

- participate in a parent(s)/guardian(s) conference with the principal or principal designee;
- reimburse the school for all costs relating to the positive drug test;
- sign a conduct agreement for a prescribed period of time;
- undergo assessment and comply with the recommendations made in connection therewith;
- submit to regular testing for a prescribed period of time at the expense of the student and parent(s)/guardian(s); and,
- submit to a drug test at the beginning of the following school year at the expense of the student and parent(s)/guardian(s).

Second Offense: student shall be suspended and referred to the school's Discipline Review Committee ("DRC") for disciplinary action. The DRC has discretion to recommend dismissal or to consider alternative disciplinary measures which will include those items listed in the **First Offense** section above and additional steps to ensure the student is receiving appropriate counseling and treatment.

Third Offense: student shall be dismissed from the attending school.

Non-Punitive Nature of Policy:

No student will be penalized academically nor be banned from participating in extracurricular activities for a first offense so long as the parent(s)/guardian(s) and student agree to the steps outlined under the **First Offense** section above. A student may be penalized for a subsequent offense, in accordance with the foregoing. The results of drug and alcohol screenings pursuant to this policy are considered confidential information and will be documented in a file separate from the student's academic records unless required by state or federal law. Access to the results and files will be restricted to the following individuals:

- the student and parent(s)/guardian(s)
- the principal
- the principal's designee
- members of the DRC, if circumstances require such disclosure
- the superintendent
- the superintendent's designee
- members of the Diocesan School Advisory Council, if circumstances require such disclosure
- the bishop of the Catholic Diocese of Biloxi
- the bishop's designee(s)
- the diocesan attorney

Information regarding results of drug or alcohol screenings must be safeguarded and treated as confidential, and it shall not be disclosed to any third party, including, but not limited to criminal or juvenile authorities except in cases of legal compulsion by subpoena or other legal process or otherwise required by law.

Positive Test Results in Connection with School Events:

The foregoing **Consequences for Positive Screening Results** and **Non-Punitive Nature of Policy** sections will apply to any student who tests positive in any reasonable suspicion drug screening. The foregoing sections will also apply to any test taken in connection with suspected use of drugs or alcohol at or during school, or in connection with any school activity or event. Any student who is found in possession of drugs or alcohol either on their person or among their property whether or not they test positive shall be subject to the same progressive discipline identified above. The foregoing sections will not apply in the case where there is evidence of the student selling and/or distributing drugs or prescription medications or evidence of intent to sell and/or distribute.

Refusal or Improper Attempts to Avoid Detection:

Any student who is selected for testing on the basis of reasonable suspicion who refuses or who attempts to avoid detection for drug use through the use of a masking agent, adulteration of a sample, or other act to avoid detection (including missing school for an extended period of time without providing a documented valid excuse), shall

- be deemed to have tested positive for purposes of the foregoing **Consequences for Positive Drug Screening** section and may
- be subject to additional discipline, including possible dismissal from the school. In the case of a student who has a condition where there is no hair growth, complete hair loss or if a student has a cleanly shaven body, the school may obtain samples using alternative methods, including, saliva, urine or blood.

Communicative Actions through Social Media or Other Methods:

All screening results (whether positive, negative or a refusal) shall be treated as confidential and shall only be made known to and/or accessed by those identified in this policy. Any violation of this policy by an individual using social media or other forms of communication will be dealt with as a breach of this provision and any such person shall be subject to discipline, including suspension and/or dismissal from the school (if a student) or suspension or termination (if a staff member). Confidentiality must be adhered to even by the student. Any person, including the student being screened, who is found to be using social media or other forms of communication regarding screening results or rumors regarding test results will be deemed to be in violation of this policy and subject to discipline.

Policy May be Superseded by Prior Knowledge or Criminal Charges:

This policy is intended to bring awareness to parent(s)/guardian(s) and the policy recognizes that a student's parent(s)/guardian(s) may not be aware that a student is engaging in the use of drugs and/or alcohol. As such, this policy is intended to give parent(s)/guardian(s) the opportunity to work with the student and to take corrective action before the student's academic or attendance record is impacted by drug or alcohol use. If it is learned that parent(s)/guardian(s) knew of prior incidents of drug or alcohol use, then such knowledge will be considered in determining the progressive steps of this policy.

If criminal charges are brought against a student relating to the possession or use of drugs, prescription medications or alcohol, then this policy will supersede **Governance 12** entitled **GOVERNANCES, CRIMINAL CHARGES – STUDENT**. However, if criminal charges are brought against a student relating to the sale of drugs or prescription medications, then this policy will be superseded by **Governance 12** entitled **GOVERNANCES, CRIMINAL CHARGES - STUDENT**.