

Adopted: 10/16/1979
Revised: 6/17/2008

Saint Paul Public Schools Policy

504.00

504.00 DRUG-FREE SCHOOLS

1. Use and/or possession of controlled substances, toxic substances, or alcohol at or in any school or work location, by students, is prohibited as general policy. Paraphernalia associated with controlled substances is also prohibited.
2. No student shall use or possess alcohol, toxic substances or controlled substances at or in any school or work location.
3. The school district will act to enforce this policy and to discipline or take appropriate action against any student or other person who violates this policy.

DEFINITIONS

1. "Alcohol" includes any alcoholic beverage, malt beverage, fortified wine or other intoxicating liquor.
2. "Controlled substances" include narcotic drugs, hallucinogenic drugs, prescription drugs, amphetamines, barbiturates, marijuana, anabolic steroids or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.
3. "Toxic substances" includes glue, cement, aerosol paint or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.
4. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.
5. "Possess" means to have on one's person, in one's effects or in an area subject to one's control.
6. "School or work location" includes any school district building (whether leased or owned) or on any school district premises; in any district-owned vehicle or in any other district-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time students are under the supervision of the school district.

EXCEPTIONS

It shall not be a violation of this policy for a parent/guardian to possess on, at or in a school or work location, for his or her student's own use, a controlled substance and associated necessary paraphernalia for which the student has a current physician's prescription. The parent/guardian and student shall comply with the District's student medication policy and relevant procedures established by District administration.

ENFORCEMENT

1. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.
2. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.

LEGAL REFERENCES:

- Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
- Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)
- Minn. Stat. § 609.684 (Sale of Toxic Substances to Children; Abuse of Toxic Substances)
- Minn. Stat. § 624.701 (Liquor in Certain [School] Buildings or Grounds)
- 20 U.S.C. §§ 7101-7140, 7161-7165 (Safe and Drug-Free Schools and Communities Act)
- 21 U.S.C. § 812 (Schedules of Controlled Substances)
- 41 U.S.C. §§ 702, 703, 706, 707 (Drug-Free Workplace Act)
- 21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)
- 34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)

CROSS REFERENCES:

- 413.01, Chemical Use and Abuse
- 413.00, Drug-Free Workplace
- 516.00, Students – Medications/Medical Procedures