

The Policy Committee is recommending to separate information taken from Policy 5131 into a new regulation - Administrative Regulation 5131-R Alcohol, Drugs, Tobacco, and Controlled Substances

5131-R Alcohol, Drugs, Tobacco, and Controlled Substances

Any student suspected of being under the influence of alcohol, drugs, tobacco, or other substance may be removed from the classroom, school building, school grounds, or school function pending further investigation. **A student who violates any part of this policy or regulation shall be subject to discipline, which may include suspension or expulsion.**

~~The reference herein to “other substance” is intended to prohibit the use, possession or distribution, including smoking, huffing, inhaling, consuming, absorbing or otherwise ingesting for the purpose of generating a high or otherwise altering the mental processing or impairing the consumer’s judgment or motor skills, or for use contrary to the lawful and intended use of the substance. Such substances include, but are not limited to, glue, paint, Dust-off, petroleum products, synthetic marijuana, “spice”, “K-2”, Juuling like pods or cartridges containing THC derivatives, or any other substance, whether organic or non-organic, which are utilized in such a manner as to create a high or otherwise alter the mental processing or impair the consumer’s judgment or motor skills or in such a way as to be contrary to their intended use or purpose. It is also prohibited to have in the student’s possession, be under the influence of, or have in the student’s bloodstream any intoxicant, inhalant (not intended for that specific purpose or need) or any substance represented by the student **considered** to be a “drug”. as defined by this policy.~~

In addition, it is prohibited for a student to possess “drug paraphernalia” as defined by the Wyoming Controlled Substances Act 1971. It is the policy of the District that the possession, use or distribution of substances represented as drugs is detrimental to the education, safety, and welfare of students.

~~A student who violates any part of this policy shall be subject to discipline which may include suspension or expulsion.~~

~~To help students who are identified as abusing alcohol/drugs/substances, District and community resources will be available to work toward overcoming this illegal use of tobacco, alcohol, drugs, or substances. Students may self-refer or be remanded to such District and community resource providers. The responsibility of correcting an identified problem is that of the student and his/her **their** parent(s).~~

The District will develop programs to educate students to bring about awareness and understanding of the dangers inherent in the use/abuse of alcohol, tobacco, controlled drugs, or other substances.

The District will provide ~~counseling~~ services **or resources** that will make it possible for students to seek and obtain interventions for drugs/substances and/or alcohol-related problems. ~~or will provide counseling as to where appropriate help can be received.~~

Definitions

Alcoholic Beverages--Any alcoholic liquor or malt beverage as defined by Wyoming statutes.

Tobacco--Any substance containing tobacco leaf, or any product made or derived from tobacco that contains nicotine, including but not limited to cigarettes, electronic cigarettes, vaporizers, or Juul-like devices, cigars, pipe tobacco, snuff, chewing tobacco, or dipping tobacco.

Electronic Cigarettes and Vaporizers, and Juul-like Devices -- Any product that employs any mechanical heating element, battery, or electronic circuit, regardless of shape or size, which can be used to deliver doses of nicotine vapor or any other substance by means of heating a liquid, wax, or other solution contained in a cartridge or alternate delivery system.

Drug--Any controlled substance as defined by Wyoming statutes.

Drug paraphernalia—Drug paraphernalia means all equipment, products, and materials described in the Wyoming Controlled Substances Act of 1971 and any amendment thereof of and of any kind when used, advertised for use, intended for use, or designed for use for manufacturing, converting, preparing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation of this act and includes:

(1) Objects when used, advertised for use, intended for use, or designed for use in injecting controlled substances into the human body;

(2) The following objects, when used, advertised for use, intended for use, or designed for use in ingesting, inhaling, or otherwise introducing tobacco, marijuana, cocaine, hashish or hashish oil, or any other controlled substance into the human body:

- a. Metal, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
- b. Bongs;
- c. e-cigarettes or electronic smoking devices such as Juuls
- d. vaporizers or vaping devices

Substance--Any substance, whether organic or non-organic, which can be smoked, huffed, inhaled, consumed, absorbed, or otherwise ingested for the purpose of generating a high or otherwise altering the mental processing or impairing the consumer's judgment or motor skills, or for the use contrary to the lawful and intended use of the substance, excluding any substance taken pursuant to a lawful medical prescription or which is used in the manner in which it is intended to be used for a legitimate medical or healthy condition. The term substance includes, but is not limited to glue, paint, Dust-Off, canned air, petroleum products, synthetic marijuana, "spice", "K-2", and Juul-like pods or cartridges or products containing THC derivatives.

Drug or Substance Trafficking/Providing--Any involvement in the process of delivery or actual delivery of a drug/substance or any substance delivered or in the process of being delivered which is represented by the trafficker to be a drug or substance as defined in this policy.

Possession--Any exercise of control or dominion.

Suspected--Reasonable suspicion (Based on observations and/or information received which would lead a reasonable person to believe that the student has violated or is violating this policy).

Under the influence--Ingestion of alcoholic beverage or dangerous/illegal drug or substance affecting any physical or mental capacity/ability.

ADOPTION DATE: July 13, 1976, Revised July 19, 2000; Reviewed December 9, 2008; Revised January 27, 2009; Major Revision December 14, 2010; Revised April 8, 2014; Revised August 28, 2018; **Minor Revision January 9, 2024**

LEGAL REFERENCE(S): Wyoming Controlled Substances Act of 1971

CROSS REFERENCE(S): Policy 4336, Use of Tobacco Products and Electronic Vaping Device

ADMINISTRATIVE REGULATION: