

4.05 DRUG ABUSE OR WEAPONS

A. Administration

1. The Code of Student Conduct will be in compliance with the Florida Statutes as related to disciplinary action which may be imposed if students use or possess alcoholic beverages, as defined in 561.01(4) F.S., or are involved in illegal use, sale, or possession of control substances, as defined in Chapter 893.02, F.S. or weapons, or possession of electronic telephone pagers, by any student while such student is on school property or while attending a school function.

*Individual school administration will establish and publish guidelines for "authorized possession" of pagers and cellular phones during extracurricular activities.

When the principal has reasonable cause to believe that a student may be in violation of this policy, based on actual evidence, he/she shall immediately notify the appropriate law enforcement officials, the parents or guardians, and the Superintendent or his/her designee.

All school personnel are required to report to the principal or the principal's designee any suspected unlawful use, possession, or sale of any controlled substance, counterfeit controlled substance, alcoholic beverage or model glue, by a student. (F.S. 1006.09(8))

All school personnel shall be exempt from civil liability when reporting in good faith to the principal or designee suspected unlawful uses, possessions, or sales of drugs by students. The principal or designee shall contact a parent or legal guardian regarding this situation.

2. If the student is formally charged with a misdemeanor or when the principal has reasonable cause to believe that a student may be in violation of the drug abuse policy, based on actual evidence, the student is not formally charged with a violation of the drug abuse law, the principal shall handle the case in accordance with the current policies governing the discipline of students, including the provisions for suspension and expulsion. The requirement of granting the student a hearing after due notice to student and parent shall be binding.

B. Counseling

The following guidelines are provided in dealing with students who seek counsel from school personnel about marijuana, narcotics, dangerous drugs or dangerous substances, bearing in mind the police power of the state cannot be diminished or compromised by the school officials for a student.

1. That a student approaching a teacher, counselor or other professional school personnel for help be free of humiliation, frustration, and fear of being searched by a security officer before counseling can take place.
2. That a student should be free from fear of administrative reprisal.
3. That students should be made aware that under Federal or State Statutes, it is not a violation of the law to admit having used marijuana, narcotics, et cetera, but such disclosure might, in rare instances, lead to arrest and prosecution for violation of drug statutes.
4. That school personnel must, of course, use discretion and judgment in a situation, which may involve a violation of Federal, State, or Local Law.
5. That a student who requests help should be referred to a guidance counselor or other school or community resources offering to provide the needed help. Mutual acceptance is a prerequisite.
6. That parental involvement should be accomplished as soon as practical without jeopardizing the achievement of professional assistance for the individual.

C. Firearm Possession

Notwithstanding the provisions of any Florida Statute to the contrary, possession of a firearm or antique firearm, as defined in Fla. Stat. 790.001, on school property is prohibited. For purposes of this policy possession is defined to include, but not limited to, maintenance of a securely encased firearm or antique firearm in the locked or unlocked trunk, interior passenger compartment or interior or exterior storage compartment or a motor vehicle which is occupied or unoccupied and is either moving, standing or parked on school property, including but not limited to areas designated for motor vehicle operation or designated for motor vehicle parking. For purposes of this policy "school" is defined to include any pre-school facility, elementary school, middle school, junior high school, K-8 school, high school, secondary school, career center, post secondary school or any other facility owned or operated by the School Board for the purpose of educating students regardless of their age or grade level.

The student codes of conduct shall include a violation of this provision as a Level IV "Zero Tolerance" offense. The prohibitions of this policy shall not apply to state or local law enforcement officers who are authorized by law to possess and carry firearms.

(Ref. F.S. 1006.09)(Adopted: 01/08/81)(Amended: 03/21/91, 00/00/00)