

DRUG POLICY AND ENFORCEMENT

It is the primary objective of Houston Gateway Academy, Inc., to assure that the education of all students proceeds in an efficient, orderly and non-disruptive manner. Possessing, using, actual or attempt to distribute, buying, selling or supplying of mood-altering chemicals or look-alike substances or paraphernalia on or off school premises is a violation of school code.

1. Statement of Policy Regarding Students

Students of Houston Gateway Academy, Inc., while on school property or at a school-sponsored activity, shall not possess, use, transmit, buy, sell, supply or attempt to do so with a mood-altering chemical of any kind prior to or during the school day, at any school-sponsored activity or event or at any time while on or off school premises.

A. Definitions

- **"Possession"** includes, without limitation: holding in the student's hand, retention on the student's person or in purses, wallets, lockers, desks or any other personal possessions such as backpacks or other students' backpacks or personal belongings. This also applies to vehicles parked on school property or at school functions.
- **"Use of mood altering chemical"**: is defined as manifesting signs of chemical misuse such as staggering, reddened eyes, odor of chemicals, nervousness, restlessness, memory loss, abusive language, falling asleep in class or any other behavior not normal for that particular student, or a preponderance of evidence that a student has used a mood-altering chemical.
- **"Tobacco"**: includes any product containing tobacco or nicotine that is smoked, chewed, inhaled or placed against the gums including electronic cigarettes.
- **"Mood-altering chemical"**: Includes, without limitation, alcohol, marijuana, inhalants, ecstasy or other club drugs, depressants, stimulants, hallucinogens, narcotics, over-the-counter medications (including any over-the-counter pain medications containing aspirin, acetaminophen, ibuprofen, or any other pain relievers, any cough or cold medications, etc.), substances such as *White Out*, glue, toxic markers and caffeine pills. Prescription drugs are included in this, unless authorized by a medical prescription from a licensed physician and kept in the original container with the school nurse that states the student's name and directions for proper use. This list is intended for example only and not as an exclusive list.
- **"Illegal Drug"**: A controlled substance, but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or by permission of the school staff or administration or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law. (34 C.F.R. §300520)
- **"Controlled Substance"**: A narcotic or non-narcotic drug listed in one of the five schedules of controlled substances in Title 21 of the US Code. The federal statutes making possession, distribution, manufacturing, and importation of controlled substances illegal are found in Title 21 of the US Code; additionally, a drug, substance, or immediate precursor as defined in the Texas Controlled Substance Act, Health and Safety Code, Chapter 481, as amended, and/or the Federal Controlled Substance Act of 1970, Public Law 91-513, as amended.

B. Jurisdiction

- Drugs or any variation as described above cannot be on or in close proximity at any time to any student who is enrolled with Houston Gateway Academy, Inc. Furthermore, drugs or any variation described above are strictly prohibited at any school functions or activities.

2. Drug Paraphernalia

Drug paraphernalia or instruments such as pipes, roach clips, syringes, pacifiers, hypodermic needles, cocaine spoons or kits, nitrous oxide paraphernalia, rolling papers, water pipes and any other items normally or actually used for the packaging, conveyance, dispensation or use of mood-altering substances will not be permitted on

Or in close proximity to any student, school property or vehicle and will be subject to confiscation. Possession of drug paraphernalia will be treated the same as possession of a mood-altering substance. Addiction to an illegal substance may not be used as an excuse for a violation.

3. Staff Responsibilities

All Houston Gateway Academy, Inc. staff have the responsibility to report all suspected cases of drug and/or alcohol use, misuse or abuse by students to the appropriate school officials. Staff members will report to the building official alleged possession, use, actual or attempted transmitting, buying, selling or supplying of mood-altering chemicals, counterfeit or look-alike substances or paraphernalia. Staff will immediately notify the principal or principal's designee and may be required to submit a written report at a later time. The intervention coordinator will immediately be notified by an administrator of all suspected or confirmed drug violations.

4. Responsibilities of School Officials

It is the responsibility of the school officials to inform students, staff and parents about the drug and alcohol abuse policy. Except for the persons directly involved in the students' education and except as otherwise provided herein, all matters concerning reports of drug or alcohol abuse shall be and remain confidential.

- **Searches: If the school official or staff has any reason to believe that a student has or may have used mood-altering or controlled substances, drug paraphernalia or instruments, they are subject to be searched.**
- **Parent agrees and authorizes for school officials and or staff to conduct a full search but not limited to the following: locker, personal search, backpacks, coats, purses, wallets, book bags, vehicles and or any other personal belongings or in their possession.**
- **Searches can be conducted by a Teacher, Counselor, Principal, Security, Intervention Specialist, Campus Administration Staff or CEO. Searches will be conducted by one person and a witness, females by females and males by males.**

5. Students' Responsibility

All students are responsible for understanding the Houston Gateway Academy, Inc. Drug and Alcohol Policy.

6. Parent Responsibilities

The Houston Gateway Academy, Inc. Board of Trustees recognizes that parents are primarily responsible for their children. The link between school and parents is the child. The effectiveness of this drug and alcohol policy will be assisted by the cooperative effort of the family, the school officials and the board.

7. Offenses and Disciplinary Action

- Carrying and/or using illegal drugs – EXPULSION
- Carrying and/or using any tobacco product, including electronic cigarettes – EXPULSION

Student: I, _____, have read and understand the policy above.
PRINT Student Name

Student Signature

Date

Parent: I, _____, have read and understand the policy above.
PRINT Parent Name

Parent/Guardian Signature

Date