

REPORTING STUDENTS UNDER THE INFLUENCE OF OR POSSESSING  
NONINTOXICATING BEVERAGES, ALCOHOLIC BEVERAGES, OR CON-  
TROLLED DANGEROUS SUBSTANCES.

BOARD POLICY:

Any teacher who has reasonable cause to suspect that a student may be under the influence of or said student has in his possession:

1. nonintoxicating beverages;
2. alcoholic beverages; or a
3. controlled dangerous substances;

as the above are now defined by state law, shall immediately notify the principal or his or her designee of such suspicions.

Administrative Implementing Procedures:

1. The Principal shall immediately notify the superintendent of schools and a parent or legal guardian of said student of the matter.

Ref: O.S. Title 70 Section 133

2. Any suspension and/or search of said student shall be subject to any applicable school policy, state law or student handbook regulation.

3. Every teacher employed by the Commerce Board of Education, who has reasonable cause to suspect that a student is under the influence of or has in his or her possession non-intoxicating beverages, alcoholic beverages, or a controlled dangerous substance and who reports said information to the appropriate school official, shall be immune from all liability.

Ref: O.S. Title 70 Section 24-132

4. A copy of said policy shall be delivered to each teacher.

Adopted by the Board of Education June 22, 1981

**Section 417. Students Under Influence of Nonintoxicating Beverage, Alcoholic Beverage or Controlled Dangerous Substance - Written Policy.**

A. Whenever it appears to any public school teacher that a student may be under the influence of nonintoxicating beverages as defined in Section 163.2 of Title 37 of the Oklahoma Statutes, alcoholic beverages as defined in Section 506 of Title 37 of the Oklahoma Statutes or a controlled dangerous substance, as defined in Section 2-101 of Title 63 of the Oklahoma Statutes, that teacher shall report the matter, upon recognition, to the school principal or his designee. The principal or designee shall immediately notify the superintendent of schools or designee and a parent or legal guardian of the student of the matter.

No officer or employee of any public school district or member of any school board shall be subject to any civil liability for any statement, report, or action taken in assisting or referring for assistance to any medical treatment or social service agency or facility any student reasonably believed to be abusing or incapacitated by the use of nonintoxicating beverages, alcoholic beverages or a controlled dangerous substance unless such assistance or referral was made in bad faith or with malicious purpose.

**Education Employees Group Health, Dental and Life Insurance Act**

B. Every school district shall have and deliver to each classroom teacher a written policy that such teachers shall follow if they have a student who appears to be under the influence of nonintoxicating beverages, alcoholic beverages or a controlled dangerous substance in their classroom. The written policy shall be developed by the local superintendent of schools and adopted by the local board of education. The provisions of subsection A of this section shall be the minimum requirements of such written policy. The written policy shall be filed with the office of the State Superintendent of Public Instruction within ninety (90) days of the effective date of this act. If such filing is not timely made, the public schools in such school district shall lose their accreditation until the written policy is filed. (70-24-138)