

ALCOHOL, CONTROLLED SUBSTANCES, AND OTHER DRUG USE BY STUDENTS

The School Board is committed to providing an optimal school environment for student learning and positive youth development. Alcohol and controlled substances use and abuse seriously interfere with that school environment and jeopardize the health and well-being of students.

With this in mind, the following conduct shall be prohibited by students at all times at school, on school premises, on school buses and while engaged in activities under school district jurisdiction and/or supervision:

- use or possession of alcohol, drug paraphernalia or controlled substances (Prescription medications will be exceptions to this policy when used by the student for whom they were prescribed and, in the amount, prescribed, and in accordance with the District's medication administration policy.);
- being under the influence of alcohol or controlled substances;
- sale, delivery or intent to sell or deliver alcohol, drug paraphernalia or controlled substances;
- sale, distribution or intent to sell or distribute look-alike alcohol or look-alike drugs (substances that are represented as a drug or alcohol regardless of the true nature of the substance);
- sale or distribution of prescription medication or nonprescription drug products;
- the misuse of prescription medication or nonprescription drug products;
- inappropriate use of hazardous inhalants (for example, huffing) and the possession of paraphernalia associated with the inappropriate use of hazardous inhalants.

A student may be required to submit to a breath test to determine the presence of alcohol if a designated school official or law enforcement officer has reasonable suspicion that the student is under the influence of alcohol in violation of this policy. Such test shall be administered by a law enforcement officer or trained school official and shall meet state law requirements. A student may be disciplined for refusing to submit to a required breath test. While administering such a test, more than one school employee shall be present with at least one employee being the same gender as the student.

Students who violate this policy shall be subject to appropriate disciplinary action, up to and including student suspension and/or expulsion, and referral to law enforcement authorities. In all cases, the student shall be referred to the District's Pupil Services Team (PST). This referral is designed to educate, assist and support students who have alcohol and other controlled substances-related concerns.

A copy of this policy and related disciplinary procedures shall be made available to students and their parents/guardians annually through the student handbook and/or through other means deemed appropriate by the building principal.

ADOPTED: July 26, 1982

REVISED: July 27, 1987 December 17, 1990 February 24, 1992 July 22, 1996
October 28, 2002 February 28, 2005 October 28, 2019

LEGAL REFERENCES:

Wisconsin Statutes

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| Section 118.126 | [privileged communication related to student alcohol/controlled substances use] |
| Section 118.257 | [liability exemption for referral to law enforcement officials and removal from school premises/activities for alcohol and other controlled substances] |
| Section 118.45 | [tests for alcohol; policy required] |
| Section 120.13(1) | [school board power to adopt student conduct rules and discipline students] |
| Section 125.09(2) | [possession of alcohol on school grounds prohibited] |
| Section 939.22(15) | [definition of hazardous inhalant] |
| Chapter 961 | [controlled substances laws] |

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| CROSS REFS.: | JFCH-R, Procedures for Dealing with Violations of the Alcohol, Controlled Substances, and Other Drug Use by Students Policy |
| | JHJ, Student Alcohol, Tobacco and Other Drug Abuse Program |
| | JHJ-R (2), Explanation of Terms Relating to Alcohol, Tobacco and Other Drug Use |

REVIEW DATE: October 28, 2019

PROCEDURES FOR DEALING WITH VIOLATIONS OF THE ALCOHOL, CONTROLLED SUBSTANCES, AND OTHER DRUG USE BY STUDENTS POLICY

In order to administer this policy effectively, the school district authorizes the use of alcohol breath testing and oral fluid drug testing of students under the following conditions:

1. There is reasonable suspicion that a student is under the influence of alcohol in violation of this policy;
2. School district officials or law enforcement officers authorized to administer breath tests, oral fluid drug testing, and use a breath screening device approved by the Department of Transportation; and
3. Persons authorized to administer breath tests receive training on how to use the breath-screening device and evaluate the test results.

The District shall inform students, parents/guardians and staff of procedures that exist to deal with the problems associated directly or indirectly with controlled substance and alcohol use and abuse. The District will participate in programs, including Pupil Services team, which focus on prevention of drug and alcohol use and abuse and provide intervention and support for those students affected, directly or indirectly, by controlled substance or alcohol problems. K9 searches may be used as a prevention or intervention tactic to discourage the use of controlled substances by students. These programs should be part of a network of community services and be provided through both school and community efforts.

The administration will take the following steps when the Board's student alcohol and controlled substance abuse policy is violated. All cases will be handled on an individual basis using any or all of the following alternatives:

A. Violations

1. Suspected of using or suspected of being under the influence of intoxicants, including alcohol, drugs, or inhalants.
 - a. Contact parent or guardian
 - b. Possible suspension (1-5 Days)
 - c. Contact Pupil Services Team
 - d. Contact police if the alleged conduct is reasonably understood as likely to constitute a violation of law
 - e. May recommend parent or guardian seek student drug screen or, in the case of alcohol, may require student to submit to a breath test to determine the presence of alcohol.
 - f. If appropriate, develop and implement a pre-expulsion behavioral contract. The student and parent(s) [if student is a minor], must sign to indicate their agreement to abide by all provisions contained in the contract. If these provisions are not followed, the administration will proceed to A.1.g.
 - g. May refer to the Superintendent for a decision on whether to refer to the School Board for an expulsion hearing. In making a decision as to whether to refer to the School Board for an expulsion hearing, the Superintendent may consider all relevant factors including without limitation:

recommendation of the building administrator or administrator(s), need for deterrence of further instances of alleged conduct, the involved student's general disciplinary record, the extent of student cooperation or candor in investigation, previous similar instances, and whether accused student enticed or tempted to entice other students in participating in or covering up the alleged conduct.

2. Possession of drug paraphernalia
 - a. Confiscate paraphernalia
 - b. Contact parent or guardian
 - c. Contact Pupil Services Team
 - d. Contact police if the alleged conduct is reasonably understood as likely to constitute a violation of law
 - e. Suspension (1-5 Days)
 - f. If appropriate, develop and implement a pre-expulsion behavioral contract. The student and parent(s) [if student is a minor], must sign to indicate their agreement to abide by all provisions contained in the contract. If these provisions are not followed, the administration will proceed to A.2.g.
 - g. Refer to the Superintendent for a decision on whether to refer to the School Board for an expulsion hearing. In making a decision as to whether to refer to the School Board for an expulsion hearing, the Superintendent may consider all relevant factors including without limitation: recommendation of the building administrator or administrator(s), need for deterrence of further instances of alleged conduct, the involved student's general disciplinary record, the extent of student cooperation or candor in investigation, previous similar instances, and whether accused student enticed or tempted to entice other students in participating in or covering up the alleged conduct.

3. Confirmed possession or being under the influence of intoxicants, including alcohol, drugs, look-alike drugs or inhalants, or misuse of products containing alcohol.
 - a. Contact parent or guardian
 - b. Suspension (1-5 Days)
 - c. Contact Pupil Services Team
 - d. Contact police if the alleged conduct is reasonably understood as likely to constitute a violation of law
 - e. If appropriate, develop and implement a pre-expulsion behavioral contract. The student and parent(s) [if student is a minor], must sign to indicate their agreement to abide by all provisions contained in the contract. If these provisions are not followed, the administration will proceed to A.3.f.
 - f. Refer to the Superintendent for a decision on whether to refer to the School Board for an expulsion hearing. In making a decision as to whether to refer to the School Board for an expulsion hearing, the Superintendent may consider all relevant factors including without limitation: recommendation of the building administrator or administrator(s), need for deterrence of further instances of alleged conduct, the involved student's general disciplinary record, the extent of student cooperation or candor in investigation, previous similar instances, and whether accused student enticed or tempted to entice other students in participating in or covering up the alleged conduct.

4. Selling and/or distribution of intoxicants, including alcohol, drugs, including look-alike drugs or inhalants:
 - a. Contact parent or guardian
 - b. Suspension (5 Days)
 - c. Contact Pupil Services Team
 - d. Contact police if the alleged conduct is reasonably understood as likely to constitute a violation of law
 - e. If appropriate, develop and implement a pre-expulsion behavioral contract. The student and parent(s) [if student is a minor], must sign to indicate their agreement to abide by all provisions contained in the contract. If these provisions are not followed, the administration will proceed to A.4.f.
 - f. Refer to Superintendent for a decision on whether to refer to the School Board for an expulsion hearing. In making a decision as to whether to refer to the School Board for an expulsion hearing, the Superintendent may consider all relevant factors including without limitation: recommendation of the building administrator or administrator(s), need for deterrence of further instances of alleged conduct, the involved student's general disciplinary record, the extent of student cooperation or candor in investigation, previous similar instances, and whether accused student enticed or tempted to entice other students in participating in or covering up the alleged conduct.

5. Refusing to submit to a required breath test to determine the presence of alcohol.
 - a. Contact parent or guardian
 - b. Possible suspension (1-5 days)
 - c. Contact Pupil Services Team
 - d. Contact police if the alleged conduct is reasonably understood as likely to constitute a violation of law
 - e. May recommend parent or guardian seek drug screen or blood test to determine presence of alcohol.
 - f. If appropriate, develop and implement a pre-expulsion behavioral contract. The student and parent(s) [if student is a minor], must sign to indicate their agreement to abide by all provisions contained in the contract. If these provisions are not followed, the administration will proceed to A.5.g.
 - g. Refer to Superintendent for a decision on whether to refer to the School Board for an expulsion hearing. In making a decision as to whether to refer to the School Board for an expulsion hearing, the Superintendent may consider all relevant factors including without limitation: recommendation of the building administrator or administrator(s), need for deterrence of further instances of alleged conduct, the involved student's general disciplinary record, the extent of student cooperation or candor in investigation, previous similar instances, and whether accused student enticed or tempted to entice other students in participating in or covering up the alleged conduct.

6. Second violation of any one or a combination of any of the above (1-5) of the alcohol or other drug prohibitions outlined in Board policy will result in the following:
 - a. Review the first violation of this policy including any consequences or behavioral contracts
 - b. Contact parent or guardian
 - c. Suspension from school (5 Days)

- d. Contact police if the alleged conduct is reasonably understood as likely to constitute a violation of law
 - e. If appropriate, develop and implement a pre-expulsion behavioral contract. The student and parent(s) [if student is a minor], must sign to indicate their agreement to abide by all provisions contained in the contract. If these provisions are not followed, the administration will proceed to A.6.f.
 - f. Refer to the Superintendent for a decision on whether to refer to the School Board for an expulsion hearing. In making a decision as to whether to refer to the School Board for an expulsion hearing, the Superintendent may consider all relevant factors including without limitation: recommendation of the building administrator or administrator(s), need for deterrence of further instances of alleged conduct, the involved student's general disciplinary record, the extent of student cooperation or candor in investigation, previous similar instances, and whether accused student enticed or tempted to entice other students in participating in or covering up the alleged conduct.
7. A third violation of the Board's student alcohol or other drug abuse policy will result in immediate referral to the Superintendent for a referral to the School Board for expulsion.

B. Medical Emergency Related to the Use of Alcohol, Controlled Substances or Other Drugs

1. Any staff member discovering such an emergency shall:
 - a. Carry out necessary emergency procedures, first aid, etc., to protect the health and safety of the student.
 - b. As soon as possible notify the building administrator.
 - c. Remain with the student until professional help arrives or until relieved by the building administrator.
 - d. Complete appropriate documentation.
2. The building administrator shall:
 - a. Ensure that emergency services have been provided and, as soon as possible, contact the student's parents(s)/guardian(s).
 - b. Arrange for a parent/guardian conference to be held as soon as possible.
 - c. Determine appropriate disciplinary action.

10/28/19