

LD

<h1>POLICY</h1>	1995	7320
	Students	1 of 3

**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (STUDENTS)**

The Board of Education recognizes that the misuse of drugs and/or alcohol is a serious problem with legal, physical, emotional and social implications for the entire community. Therefore, the consumption, sharing and/or selling, use and/or possession of alcoholic beverages, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of such drugs is prohibited at any school-sponsored event or on school property at all times. The inappropriate use of prescription and over-the-counter drugs shall also be disallowed. Persons shall be banned from entering school grounds or school-sponsored events when exhibiting behavioral, personal or physical characteristics indicative of having used or consumed alcohol or other substances.

Through the collaborative efforts of staff, students, parents/legal guardians and the community as a whole, a certifiable comprehensive program shall be developed addressing alcohol and other substances to include the following elements:

**Primary Prevention**

Preventing or delaying alcohol and other substance use/abuse by students shall be the major focus of a comprehensive K-12 program in which proactive measures of prevention and early intervention are emphasized. This program shall include:

- a) A sequential K-12 curriculum that will be developed and incorporated into the total educational process. This curriculum shall be concerned with education and prevention in all areas of alcohol and other substances uses/abuse;
- b) Training school personnel and parents/legal guardians to reinforce the components of the policy through in-service and community education programs with up-to-date factual information and materials.
- c) An effort to provide positive alternatives to alcohol and other substances use/abuse through the promotion of drug/alcohol-free special events, service projects and extracurricular activities that will develop a positive peer influence.

**Intervention**

School-based intervention services shall be made available to all students, grades K-12, and provided by prevention professionals who are appropriately

(Continued)

# POLICY

1995

7320  
2 of 3

Students

## SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (STUDENTS) (Cont'd.)

trained in this area. The purpose of intervention is to eliminate any existing use/abuse of alcohol and other substances and to identify students considered to be at risk for use/abuse. Intervention programming shall include:

- a) Counseling of students in groups and as individuals on alcohol and other substance use/abuse. Counselors shall be appropriately trained and skilled school staff assigned for this purpose.
- b) Referring students to community or other outside agencies when their use/abuse of alcohol and other substances requires additional counseling or treatment. Referral is a key link in school and community efforts and the process is basic to the dissemination of information regarding available counseling and health services;
- c) Providing a supportive school environment designed to continue the recovery process for students returning from treatment. A re-entry program may include continuing student and/or family counseling and emphasizing positive alternatives to alcohol and other substance use/abuse.
- d) Developing a parent network to serve as a support group and provide a vehicle of communication for parent education;
- e) Ensuring confidentiality as required by state and federal law.

### **Disciplinary Measures**

Disciplinary measures for students consuming, sharing and/or selling, using and/or possessing alcoholic beverages, illegal drugs, counterfeit and designer drugs, or paraphernalia for the use of such drugs shall be outlined in the District's guidelines for Student Rights and Responsibilities.

### **Staff Development**

There shall be ongoing training of District staff about the components of an effective alcohol and other substances program. Training shall include, but not be limited to, District policies and regulations and the staff's role in implementing such policies, and regulations. Teachers shall be trained to implement the District's K-12 alcohol and other substance prevention curricula; intervention staff shall be suitably trained to carry out appropriate services.

(Continued)

# POLICY

1995

7320  
3 of 3

Students

SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (STUDENTS) (Cont'd.)

## Implementation, Dissemination and Monitoring

It shall be the responsibility of the Superintendent to implement the alcohol and other substances Board policy by collaboration with school personnel, students, parents/legal guardians and the community at large.

Additionally, copies of Board policy shall be disseminated to District staff, parents/legal guardians and community members. The Superintendent shall biennially review the policy and support appropriate modifications, as needed.

Drug-Free Schools and Communities Act  
Amendment of 1989  
(Public Law 101-226)

Adopted: 8/7/95

# POLICY

Students

**SUBJECT: Use of Alcohol Sensing Devices**

It shall be the district's policy that alcohol sensing devices may be used to confirm the suspicion of consumption of alcohol, for admission/participation at extra-curricular activities. The device may also be available for use during the school day. The following rules for the use of such a device shall apply:

1. There must be reasonable suspicion that a student has consumed alcohol in the best judgment of an administrator or administrative designee. Reasonable suspicion exists if:
  - Student smells of alcohol
  - Student exhibits loss of motor control or other signs of impairment
  - Administrator or administrative designee has statements of use by reliable witness(es)
  - There may be other indicators of alcohol use, and, therefore, this list is not all inclusive.
2. The administrator or administrative designee will ask the student to accompany him/her to a location with some measure of privacy. (e.g. administrative or health office).
3. The administrator or administrative designee who has been trained in the proper use of the alcohol sensing device will request the student to use the alcohol sensor in the presence of a witness. If the student refuses to cooperate with school personnel, parents will be contacted immediately and permission to administer the Alco-sensor will be requested. In a case involving a parent who is unreachable, the Alco-sensor may be administered with student consent. The school will contact the parents in a timely manner to notify them of the course of events.
  - If the student complies and there is a negative reading, a second reading will be taken five minutes after the first reading. After the second negative reading, the student may return to the function.
  - If the student complies and there is a positive reading, a second reading will be taken within five minutes after the first reading. If there is a positive reading after the second administration, the student will be kept away from the function and taken home by the parent/guardian.
  - If the student refuses to comply, the student may not return the function and will be taken home by the parent/guardian.
  - A positive reading may be considered by the District in connection with the imposition of discipline in accordance with Board of Education policy and the District Code of Conduct. A student's failure to comply may also be considered in connection with the imposition of discipline for violation of Board of Education Policy and the District Code of Conduct.

**SUBJECT:** Code of Conduct

## **IX. DISCIPLINARY PROCEDURES AND PENALTIES**

Discipline is most effective when it deals directly with the problem at the time and place it occurs, and in a way that students view as fair and impartial. School personnel who interact with students are expected to use disciplinary action only when necessary and to place emphasis on the students' ability to grow in self-discipline.

Disciplinary action, when necessary, will be firm, fair, and consistent so as to be the most effective in changing student behavior. In determining the appropriate disciplinary action, school personnel authorized to impose disciplinary penalties will consider the following:

1. the student's age.
2. the nature of the offense and the circumstances which led to the offense.
3. the student's prior disciplinary record.
4. the effectiveness of other forms of discipline.
5. information from parents, teachers, counselors, and/or others, as appropriate.
6. other extenuating circumstances.

As a general rule, discipline will be progressive. This means that a student's subsequent violations will usually merit a stiffer penalty than the first violation.

If the conduct of a student is related to a disability or suspected disability, the student shall be referred to the Committee on Special Education and discipline, if warranted, shall be administered consistent with the separate requirements of board policy 7615 for the discipline of students with disabilities. A student identified as having a disability shall not be disciplined for behavior related to his/her disability.

**SUBJECT:** Code of Conduct

A student with a disability may be suspended only in accordance with the requirements of state and federal law.

2. Students who violate the alcohol, drugs, and other substances policy (prohibited conduct E.10)

Any student, other than a student with a disability, found guilty of violating the alcohol, drugs, and other substances policy, will be subject to suspension from school for at least five days. The student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to suspension. The superintendent or building principal in consultation with the superintendent, has the authority to modify the minimum five-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

The violation will be reported to a law enforcement agency, as appropriate.

3. Students who commit violent acts other than bringing a weapon to school, or violate the tobacco policy (prohibited conduct E.9.)

Any student, other than a student with a disability, who is found to have committed a violent act, other than bringing a weapon onto school property or violates the tobacco policy, shall be subject to suspension from school for a minimum of two days. The student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to suspension. The superintendent or building principal in consultation with the superintendent, has the authority to modify the minimum two-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

**SUBJECT:** Code of Conduct

4. Students who are repeatedly substantially disruptive

Any student, other than a student with a disability, who engages in conduct, which results in the student being removed from the classroom by teacher(s) on four or more occasions during a semester, will be suspended from school for at least two days. The student and the student's parent will be given the same notice and opportunity for a hearing given to all students subject to a suspension. The superintendent or building principal in consultation with the superintendent has the authority to modify the minimum two-day suspension on a case-by-case basis. In deciding whether to modify the penalty, the superintendent may consider the same factors considered in modifying a one-year suspension for possessing a weapon.

**X. DISCIPLINE OF STUDENTS WITH DISABILITIES**

The Board of Education recognizes that it may be necessary to suspend, remove or otherwise discipline students with disabilities to address disruptive or problem behavior. The board also recognizes that students with disabilities have certain procedural protections whenever school authorities intend to impose discipline upon them. The Board is committed to ensuring that the procedures followed for suspending, removing or otherwise disciplining students with disabilities are consistent with the procedural safeguards required by applicable laws and regulations.

This code of conduct affords students with disabilities subject to disciplinary action no greater or lesser rights than those expressly afforded by applicable federal and state. Board policy 7615, Discipline of Students with Disabilities and its accompanying administrative regulation describe specific rules and regulations.

H. Demonstrate high levels of sportsmanship.

1. Treat all participants, coaches, officials, and spectators with respect and courtesy.
2. Refrain from the use of vulgar language or gestures.
3. Always play by the rules of the sport.

I. Be honest and lawful and are expected to maintain high standards of conduct at all times, both in school and out.

J. Report to their coach any injury or change in physical condition that affects their ability to safely participate in athletic practices or contests.

Penalties for Part 2 Infractions - Unless otherwise specified, athletes who violate the provisions of part 2 will be given either additional practice responsibilities by the coach and/or receive a suspension from competition for up to two weeks. Athletes who repeatedly violate part 2 provisions or who are involved in extremely serious violations may be dropped from a squad.

NOTE- Athletic participation is meant to teach commitment and responsibility. Athletes who choose to leave a squad after the initial tryout period, or who are removed from a squad for disciplinary reasons, will have their situation reviewed and the circumstances could effect future athletic program participation.

---

### **Part 3 - Substance Use and Possession**

Participants are not to use, possess, or be under the influence of alcoholic beverages, illegal substances, tobacco products, or performance enhancing drugs. This provision is in effect from the first day of fall practices in August through graduation day in June, regardless of whether the athlete is participating in a sport that season, and suspensions carry over from season to season, school year to school year.

#### **Penalty for Part 3 Infractions -**

**FIRST OFFENSE** – suspension from athletic program participation for one month. On the first offense students may have their suspension reduced to as little as two weeks through successful completion of an intervention/education program offered by the school Student Assistance Counselor. Athletes that earn a participation letter and/or awards will be issued them only at the conclusion of the successful intervention/education program.

**SECOND OFFENSE** – removal from athletic program participation for the remainder of that sports season or two months, whichever is longer.

**THIRD OFFENSE and beyond** – removal from athletic participation for one year.

**NOTE** – Second time offenders and beyond lose the opportunity to receive a participation letter and/or certificate and forfeit all athletic awards earned that sports season. Third time offenders and beyond lose all accumulated points for senior awards.

Students who confidentially approach a coach or school official for help with a substance use problem will be given appropriate confidential help. If there has been no public incident or violation, there will be NO athletic suspension as long as it can be determined that participation is not a health risk to the individual or a safety risk to teammates and/or opposing athletes.



#### 4.35 PROCEDURE FOR PARTICIPANTS WHO VIOLATE PART 3 OF THE BEHAVIOR CODE FOR INTERSCHOLASTIC ATHLETICS

(revised for Fall 1999)

- A. Whenever it is alleged that a participant may have violated Part 3 of the Behavior Code for Interscholastic Athletics the athletic director and the building principal shall be notified. An investigation will be conducted that may include if appropriate any of the following: the Director of Athletics, the Building Principal, an Assistant Principal, the coach, a counselor.
- B. If it is determined that the evidence is credible and sufficient to support a finding that a violation occurred, the student will be suspended or removed from practice and competition.
- FIRST OFFENSE - suspension from athletic program participation for one month.
  - SECOND OFFENSE - removal from that team for the remainder of that sports season or suspension from athletic program participation for two months, whichever is longer.
  - THIRD OFFENSE and beyond - removal from athletic program participation for one year.
- NOTE - second time offenders and beyond lose the opportunity to receive a participation letter and/or certificate and forfeit the right to receive all school issued athletic awards earned during the sports season in which the infraction occurred.
- C. The student and his parent/guardian will be given the opportunity to discuss the factual situation informally with the Athletic Director and/or the Principal if they so choose. On the first offense the student and parent/guardian will also be notified that they can have the suspension reduced to as little as two weeks if the athlete successfully completes an intervention/education program offered by the school Student Assistance Counselor. (Note that part of that program may include an outside assessment at the parent's expense.) First time offenders that have earned a participation letter and/or awards will be issued them at the conclusion of the successful intervention/education program.
- D. If a parent/guardian disagrees with the determination of a student's guilt, a hearing with the Superintendent or his/her designee shall be available to the athlete and his/her parents/ guardians as expeditiously as possible. If requested, the hearing will include at least the coach, the Athletic Director, and the Building Principal. The athlete and his/her parents/guardians will be notified of the time, date, and the place of the hearing and who shall preside. At the hearing the athlete and his/her parents/guardians shall have the right:
1. to be represented by counsel.
  2. to discuss and examine the evidence against the athlete.
  3. to present witnesses on the athlete's behalf.
  4. to make any statements on the athlete's behalf concerning the alleged violation.
  5. to be given a decision in a reasonable length of time.
- E. The results of the hearing shall be put in writing with a copy sent to the athlete and to his/her parent/guardian by certified mail.
- F. If a parent/guardian disagrees with the decision of the Superintendent he/she may appeal to the Board of Education.