

543 **ALCOHOL AND OTHER DRUG POLICY** -- The goal of this policy is to promote the maximum level of learning success for all students to insure that all schools will be totally free of the harmful effects of intoxicants and other drugs. This policy is designed to convey the message of “zero tolerance” in its clear prohibition of students possessing an intoxicant, mood altering substance, look-alike substance or drug paraphernalia; transferring or selling any of these items, including prescription medications; or using a two-way communication device to facilitate the transfer or sale of these items. Cell phones, pagers or other such devices may be carried by students, but must not be turned on or used during school hours. The building administrator may make individual exceptions to this rule for legitimate medical, educational, vocational or other reasons.

This policy is also designed to assist students, parents and employees in understanding that intoxicants and other drugs are, unfortunately, a part of our culture and that a common procedure is available to deal with the problems which may be created by their use. It is important that students, parents and district employees understand that use of intoxicants or other drugs may lead to chemical dependency. It is also imperative that chemical dependency is recognized as a treatable health problem found in all socio-economic groups and at all ages. The primary objective of the intoxicant and other drug education program is to help students, parents and District employees understand the progression of this illness and to develop a framework of knowledge and values enabling them to make sound, responsible decisions, and to encourage positive intervention. The District shall provide an organized framework for all to follow and will comply with Wisconsin Statutes relating to confidentiality.

Providing intoxicant and other drug abuse education information is an integral part of the District’s K-12 Health Curriculum and is also interdisciplinary in approach. This subject may be taught in health, science, social studies or group guidance at the elementary level. At the middle school level, the program may also be incorporated into the group guidance curriculum or science, health, or family and consumer education. At the high school level, the information can be disseminated through group guidance, social studies, science, and health classes.

One of the main mechanisms for the early identification of and intervention with students having problems seriously inhibiting their success in school such as intoxicant and other drug abuse, depression, and eating disorders is the Student Assistance Program (SAP). Functioning at the middle and high school levels and in modified form at the elementary level, the SAP combines the efforts of faculty volunteers, administrators, and aides. Each level’s SAP team provides a broad base of concerned adults who identify students exhibiting behaviors detrimental to their adjustment in school; make an initial contact with identified students for the purposes of data gathering and screening; refer students, through their counselors, to appropriate sources of help; and provides certain opportunities for direct assistance in the form of SAP Support Groups.

In addition to providing intervention, each level’s SAP serves to educate district employees, students and parents about intoxicant and other drug abuse prevention concepts and promotes a school climate conducive to good physical and mental health.

This policy recognizes that certain disciplinary actions will be taken by the administration for violation of the following rules.

543.1 Students are prohibited from being present on school property; not on school property, but under school supervision; at a school sponsored event; or going to or from one school or school event to another in a condition which school authorities have reasonable suspicion to believe results from the use of an intoxicant, a mood-altering substance, or look-alike substance. The student shall be referred to the school administration immediately. This initial contact should not be with a school psychologist, counselor, or nurse, to avoid the confidentiality requirements, unless an emergency exists.

For the purpose of this policy, the following definitions are set forth:

1. Intoxicant - An intoxicant is any beverage that may be legally sold as alcohol. This includes, but is not limited to, fermented malt beverages, intoxicating liquor, or wine.
 2. Mood-altering substance - A mood-altering substance is defined as:
 - (a) a controlled substance under Chapter 961, Wisconsin Statutes, or
 - (b) inhalants such as nitrous oxide or other volatile substances including but not limited to paint thinner, paints, and aerosols.
 3. Look-alike substance - A look-alike substance is defined as a substance which is of a nature, appearance or effect that will allow a person to display, sell, distribute or use the look-alike substances as if it were a controlled substance.
- 543.11 The administrator shall make a reasonable effort to notify the parent, guardian, or legal custodian to discuss disposition of the student.
- 543.12 As soon as possible after this emergency contact, a personal conference with the administrator, a member of the school staff who is trained in AODA prevention/intervention and the parents, guardian, or legal custodian should be scheduled.
- 543.13 Discipline resulting from violations shall become more stringent with each successive violation during a three year period.
- 543.131 For the first violation, the student shall be suspended from school for one to five days, based on the judgment of the school administrator. In addition:
- 543.1311 The district will require a meeting, upon the student's return, with an administrator, the student, the parent/guardian, a counselor or SAP representative to determine the most appropriate support options.
- 543.1312 The support options could include, but are not limited to, individual school counseling; group counseling (Insight, Intervention, Concerned Persons or AODA Recovery groups); AODA assessment; community-based individual or family counseling; or excusal from school pursuant to Sec. 118.15(3)(a), Wis. Stats. and Board Policy 515.161.
- 543.132 For the second violation, the student shall be suspended from school for five days. In addition:
- 543.1321 The same procedures as described in Sections 543.1311 and 543.1312 will be followed.
- 543.133 For the third violation, the student shall be suspended from school for five days or, pending an expulsion hearing, up to 15 days. (For students in Special Education, the suspension pending an expulsion hearing may not exceed 10 days.
- 543.1231 A recommendation to the Board for expulsion of the student may be made by the administrator pursuant to Section 120.13 (1)(c), Wis. Stats.
- 543.1232 The administrator shall consider the student's voluntary consultation with a person certified to conduct chemical

dependency assessments and the student's efforts to follow such person's recommendation in determining whether to recommend expulsion.

- 543.2 A student will be in violation of this policy if there is reasonable suspicion to believe that he or she, while on school property; not on school property, but under school supervision; or at a school-sponsored event or going to or from one school or school event or another, has possessed an intoxicant, mood-altering substance, look-alike substance or drug paraphernalia; or has been involved with the transfer or sale of an intoxicant, mood-altering substance, look-alike substance, prescription medication or drug paraphernalia as defined above; or has used or possessed a two-way communication device to facilitate the transfer or sale of any of these items.

For the purpose of this policy, the prohibited items are defined in Section 543.1 and as follows:

Drug Paraphernalia - any equipment, products, and materials that are used or solely intended for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance. Drug paraphernalia also includes all of the equipment, products, and materials as additionally defined in Section 961.571 of the Wisconsin Statutes. \

The administrator shall notify the law enforcement officials and cooperate in the investigation of the incident. Strip searches by school employees are prohibited by Section 118.32, Wisconsin Statutes, but other searches by school employees are proper if made in compliance with Board Policy 526.

- 543.21 If the law enforcement officials find it necessary to question a student while on school property or at any school-sponsored event, the administrator shall make a reasonable effort to contact the parent, guardian, or legal custodian of the student prior to questioning. In the event the parent, guardian, or legal custodian cannot be located or cannot be present, the administrator or another staff member shall be present during the questioning by law enforcement officials. The administrator shall keep detailed notes to include names of all persons involved, the time and the place of the questioning, a summary of all discussion and pertinent findings. Compliance with the confidentiality requirement of Section 118.126, Wis. Statutes relating to school psychologists, counselors and nurses is required.
- 543.22 When the facts of one or more of the violations noted in Section 543.2 have been reasonably established as a result of the investigation, the student and his parents, guardian or legal custodian shall be requested to meet with the administrator to review the information obtained. If, after reviewing the facts developed through the investigation and conference, there is reason to believe that the student has engaged in one or more of these prohibited activities, the administrator shall suspend the student and may recommend to the Superintendent that the student be expelled by the Board pursuant to Section 120.13(1)(c), Wis. Stats.
- 543.23 The school administration shall cooperate with law enforcement agencies regarding the violations noted in Section 543.2. occurring in locations other than on school property or at a school-sponsored event, giving due consideration to confidentiality, due process requirements, and daily school operations.