

**436 STUDENT POLICY ON ALCOHOL AND/OR OTHER DRUGS**

**436.01 OREGON SCHOOL DISTRICT STUDENT ALCOHOL AND/OR DRUG USE POLICY**

The Oregon School District (OSD) prohibits, and will not tolerate any student engaging, anywhere on school premises or while involved in a school sponsored or related activity, in the following: (1) the manufacture, distribution, solicitation, possession, use or consumption of drugs or intoxicants; (2) the possession of drug-related paraphernalia or intoxicant containers; or (3) being under the influence of a drug or other intoxicant. School premises include: school-owned property; vehicles parked anywhere on school property; any off-school property that is being used for a school-sponsored activity, event or function; school-owned vehicles; and any vehicle used to officially transport students to or from school, or for any school activity.

The use of prescription medicines is to be construed as an exception to this policy when used by the individual for whom they were prescribed, when used in the manner and amounts prescribed, and when used in accordance with other school policies governing student medications. In this case, it is the responsibility of the parent (s) and the student to inform the school of any prescribed medication that may cause apparent impairment.

Students in violation of this policy will be subject to disciplinary action, which may include school, civil and municipal consequences.

**436.02 DEFINITION OF TERMS:**

Drug: all controlled substances, and prescription drugs, non-prescription drugs or other substances (when used, portrayed, or distributed inappropriately).

Intoxicant: all fermented malt beverages and intoxicating liquors as defined by Wisconsin law.

Under the influence: A student shall be considered under the influence if:

- a. a student admits to such
- b. the facts from other sources provide information for the District to conclude such
- c. the administration has reasonable suspicion to believe the student is under the influence and the student refuses to take a screening test.
- d. there is a positive finding on the Drug Identification and Recognition Seven Step Process field test or breathalyzer that was performed by an individual certified to administer that test or
- e. there is a positive finding on a urine analysis or blood test performed by a lab certified to perform these tests.

**436.03 PREVENTION AND EARLY INTERVENTION OF ALCOHOL AND/OR DRUG RELATED PROBLEMS**

The Oregon School District recognizes the importance of substance abuse prevention and early intervention, and therefore has established a Student Assistance Program

(SAP) for the purpose of providing to all students education, early intervention and support services for the prevention and amelioration of alcohol and drug-related problems.

An essential feature of the SAP includes the encouragement of students and their families to contact building administrators, pupil services staff, or the District SAP.

Coordinator for help with alcohol and other drug related problems, with the assurance that such contacts will be handled sensitively and confidentially.

As provided by state law, school personnel who engage in alcohol or drug abuse program activities shall keep confidential all information received from a student about that student's or another student's use of alcohol and/or drugs, and about problems resulting from alcohol and/or drug use, unless:

1. the student using or experiencing problems resulting from the use of alcohol or drugs consents in writing to the disclosure of the information;
2. the district SAP Coordinator, school psychologist, counselor, social worker, nurse or administrator has reason to believe that there is serious and imminent danger to the health, safety or life of any person, and that the disclosure of the information to another person will alleviate the serious and imminent danger. No more information than is required to alleviate the serious and imminent danger may be disclosed; or
3. the information is required to be reported under the child abuse and neglect reporting law.

No records of a student's participation in the SAP will become part of the student's permanent record or cumulative file. Diagnostic labels such as "drug abuser" or "chemically dependent" are not to be used in documents referring to student, or in conversation about the student with third parties, by any staff member.

Students and/or their families may, when appropriate, be referred to the SAP for education, intervention or support services. Participation in SAP services is voluntary. At all times it is the prerogative of the student and/or parent to accept or reject referral to the District SAP Coordinator or to community-based services. However, it remains the responsibility of the student to bring school performance up to acceptable levels or face such corrective or disciplinary action as may be warranted.

Administrators will work with parents, law enforcement, students, staff and the broader community to create and maintain a safe and AOD-free school environment. Although the primary focus of these efforts will be on prevention, instructional services, early intervention and support, the building administrator may, on occasions of reasonable suspicion of violation of the district's Student Policy on AOD, also employ strategies that focus on monitoring students and the school environment for the presence of intoxicants, drugs and/or paraphernalia. These strategies may include, but are not limited to: searches of lockers, personal items and clothing, searches of student owned and operated vehicles parked on school grounds, the use of drug detection canines, and requests to parents to seek a urinalysis or other medical test from an appropriate agency for their student. A student may be disciplined for

refusing to submit to such tests and the fact of such refusal may be used in any proceeding to enforce this policy.

#### **436.04 CONSEQUENCES FOR VIOLATION OF STUDENT AOD POLICY**

436.04.1 Enforcement of this policy will be the responsibility of the building administrators, with the support of the OSD Superintendent and OSD Board of Education. The number of violations that a student incurs will accrue over the student's time of enrollment with the OSD.

436.04.2 For first violation: The building administrator will contact parents/guardians as soon as practicable upon verification of the violation. Law enforcement personnel may be notified when a municipal, state or federal law has been violated. Depending on the circumstances of the violation, the student will be suspended for up to five school days, and may be referred for expulsion. The student is also subject to all consequences stated in the OHS Co-Curricular Eligibility Code or Oregon Middle School athletic policies (438).

The building administrator may reduce the length of the suspension if 1. the student and parent(s)/guardian(s) attend an AOD screening conference with the District SAP Coordinator and pursue, at their own expense, recommendations/referrals resulting from this conference, or 2. the student and parents(s)/guardian(s) obtain a formal AOD assessment and pursue, at their own expense, the resulting recommendations. The assessment must be provided at a State approved alcohol/drug agency in the community and conducted by a Certified Alcohol and Drug Abuse Counselor. If an in-district AOD screening is done, or a formal AOD assessment is done by an outside agency, the administrator will encourage the student and parents/guardians to agree to allow the District SAP Coordinator (for screenings) or the assessment agency (for formal AOD assessments) to disclose to the building administrator information as to whether or not the screening/assessment was completed and resulting recommendations followed. When a student and/or parent(s)/guardian(s) refuse to attend the screening/assessment, or decline to pursue the resulting referrals/recommendations, or decline to release information from the conference/assessment, this will be noted in the disciplinary record.

The student may also be required to follow an individual behavioral plan, developed and monitored by the building administrator (or designee), upon return to school. The behavioral plan may include strategies designed to ensure continued compliance with the OSD Student AOD policy (See Section 2 above).

436.04.3 For second violations: The building administrator will contact parents/guardians as soon as practicable upon verification of the violation. Law enforcement personnel will be notified when a municipal, state or federal law has been violated. Referral for expulsion will be made, which includes suspension until expulsion proceedings are complete. The student is also subject to all consequences stated in the OHS Co-Curricular Eligibility Code or Oregon Middle School athletic policies (438).

The building administrator or the Board of Education may hold a recommendation for expulsion in abeyance if 1. the student and parent(s)/guardian(s) attend an AOD screening conference with the District SAP Coordinator and pursue, at their own expense, recommendations/referrals resulting from this conference, or 2. the student

and parent(s)/guardian(s) obtain a formal AOD assessment and follow the resulting recommendations, at their own expense. The assessment must be provided at a State approved alcohol/drug agency in the area and conducted by a state-certified Alcohol/Drug Abuse Counselor.

If an in-district AOD screening is done, or a formal AOD assessment is done by an outside agency, the administrator will encourage the student and parents/guardians to agree to allow the District SAP Coordinator (for screenings) or the assessment agency (for formal AOD assessments) to disclose to the building administrator information as to whether or not the screening/assessment was completed and resulting recommendations followed. The building administrator will provide, for the expulsion hearing, a summary of this information, which may include any recommendations made, and any progress made by the student and parent(s)/guardians(s) in pursuing such recommendations.

The student may also, upon return to school, be required to follow an individual behavioral plan, developed and monitored by the building administrator (or designee). The behavioral plan may include strategies designed to ensure continued compliance with the OSD Student AOD Policy (see Section 2 above).

436.04.4 For additional violations: The procedures and consequences stated above, for second violations, will apply EXCEPT that the referral for expulsion may not be held in abeyance.

436.04.5 For acute alcohol/drug intoxication: Because of the potential dangers to the student, and others, presented by his/her acute intoxication with alcohol or other drugs, when students exhibit evidence of acute intoxication, incapacitation or a drug overdose in school or at school-sponsored events, emergency personnel will be contacted immediately for student transport to a facility designed to provide detoxification services. Parents will be notified as soon as practicable. Following his/her return to school, the consequences for violations of the OSD Student AOD Policy will be implemented.

#### **436.05 LIABILITY AND RESPONSIBILITY**

The Board of Education's protection from liability will be extended to all staff to the extent that they act in accordance with this policy and observe the procedures consistent with it, established within their respective sites. The Board of Education will make available resources sufficient for personnel and training necessary for the implementation of this policy.

It is the responsibility of each building administrator (or his/her designee) to

1. ensure that students, staff, parents and the community are informed annually, at the beginning of the school year, about the OSD's Student AOD Policy;
2. develop procedures consistent with this policy; and
3. allocate resources necessary for staff understanding and implementation of the Student AOD Use policy and procedures, and SAP services.

Policy interpretation and final decisions regarding procedures, i.e., disciplinary action and the consequences of violation of this policy, will be made by the building administrator, Superintendent, and/or Board of Education, in consultation with the

District SAP Coordinator, teaching staff, and/or members of the pupil services staff where appropriate.

Adopted:

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July 8, 2002

March 21, 2004

January 6, 2006

#### **436.06 ADMINISTRATIVE GUIDELINES FOR VIOLATIONS OF OSD STUDENT AOD POLICY**

436.06.1 The following procedures are designed to provide guidelines to staff members when dealing with students who are either in violation or suspected to be in violation of the OSD Student AOD Policy, or who may benefit from the services of the District SAP Coordinator and/or Pupil Services staff.

436.06.2 All staff are expected to observe OSD policies regarding confidentiality.

436.06.3 If there is a medical emergency related to the OSD Student AOD Policy:

1. Summon emergency personnel by dialing 9-11.
2. Carry out necessary emergency procedures, first aid, etc. to protect the health and safety of the student and other students/staff.
3. Notify the building administrator (or designee) as soon as possible.
4. Remain with the student until emergency personnel arrive, or until relieved by the building administrator (or administrator's designee).
5. The building administrator (or designee) will then ensure that appropriate emergency services have been provided; contact parent/guardian as soon as possible; arrange to meet with the parent(s)/guardian(s) as soon as possible; and determine appropriate disciplinary action.

436.06.4 If there is staff concern about student use, or suspected or actual violation of the OSD Student AOD policy:

1. Staff concern: All staff are expected to refer to the District SAP Coordinator or guidance staff any student:
  - (1) who exhibits a definite and repeated pattern of unacceptable school performance which does not respond to the usual and customary attempts to correct it;
  - (2) who exhibits signs, symptoms or indications of an alcohol or drug related problem;
  - (3) whose self-disclosed alcohol/drug related behavior places them or others at risk or in imminent danger.

Referral of a student to the SAP by itself does not constitute an allegation that a student has an alcohol/drug related problem.

2. Suspected/witnessed violation: All staff are expected to refer any student who they suspect to be or witness in violation of the OSD Student AOD Policy to the building administrator (or designee), who will facilitate the student's transfer to an appropriate office or location for observation and an interview. Staff should relate as much information to the appropriate administrator as possible regarding their concerns and observations about the student.

If the administrator does witness symptoms of impairment/use, or when there is clear evidence of student violation of the OSD Student AOD policy, the administrator must take further action, as outlined in the OSD Student Policy on AOD. The building administrator will also communicate to the staff person referring the student, as soon as possible, regarding the plan of action.

If the administrator does not witness symptoms of impairment/use, or if there is no clear evidence to support student violation of the OSD Student AOD policy, further actions are optional and subject to the judgment of the administrator. Further actions may include parental contact, continued observation, referral to pupil services personnel or to the District SAP Coordinator. The plan of action must be communicated to the staff person referring the student, as soon as possible.

436.06.5 Student/staff referral:

1. Staff will encourage students to refer themselves or others to the SAP for assistance when students are concerned about their own or others' use of alcohol or other drugs.
2. OSD policies on student confidentiality shall be maintained.
3. Students may talk to a teacher, administrator, pupil services staff or the District SAP Coordinator for information and assistance.

436.06.6 Once a SAP referral is made:

Upon referral to the District SAP Coordinator, he/she may consult with the student, parents, and/or staff members in an attempt to assess the nature and scope of the student's problem. The purpose of this initial screening is to gather and interpret information about referred students in order to assess the nature and scope of their involvement with alcohol or other drugs and the need, if any for additional help. The initial screening will result in one or more of the following recommendations:

1. There is no apparent pattern of personal or performance problem at this time; no further action is necessary at this time.

2. There is no apparent problem at this time related to the student's own use of alcohol or other drugs; however, referral to other in-school or community services is appropriate.
3. Screening data supports the need for student and/or parent participation in in-school or community educational services related to alcohol and other drugs.
4. Screening data supports the need for a professional AODA assessment, conducted by a Certified AODA Counselor from an approved AODA agency in the community.

436.06.7 REGARDING PARENTAL INVOLVEMENT

Parents will be informed, at the time of referral, of their child's referral to the SAP in cases of violations of the OSD Student AOD Policy.

In cases where the student participates in the SAP through self-referral or other avenues, parents may be notified as soon as practicable and in accordance with applicable state and federal confidentiality statutes.

436.06.8 TRACKING POLICY VIOLATIONS

Since the violations of this policy are cumulative over the student's enrollment in the Oregon School District, building administrators should transfer a list of students and their violation history to the receiving administrator when a student transitions between buildings with the Oregon School District.

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