

ALCOHOL AND OTHER DRUG USE BY STUDENTS LEARNERS

The Board recognizes its share of the responsibility for the health, welfare, and good of the students who attend the district's schools. Underage consumption of alcohol and illicit drug use is illegal and harmful and can interfere with a student's ability to learn and function responsibly in the school setting and community. Anything that can interfere with the development of an adolescent, therefore, must be evaluated as to its impact to both the young person and the community. Psychoactive and mood altering drugs can destroy the health and well being of an individual. The school community defines drug use as a serious health problem and is committed to discouraging this behavior and to encouraging young people to seek help should a problem arise.

As educators, we recognize that chemical abuse (alcohol and drugs) has become a serious problem in our country. We accept our obligation to establish a positive environment in which these problems can be presented through a comprehensive school drug free program and be addressed locally in a helpful and supportive, rather than a punitive way. One of our goals is to prevent all use by students. Accomplishing this goal, we realize will entail training teachers, counselors and other staff members to educate themselves and the community about the impact of drug abuse. Other goals are to teach staff to identify indicators of alcohol and/or other drug use problems and to know what resources are available to address these problems if they are observed. The administration recognizes that the problems of alcohol and/or other drug use is a school and community issue. Therefore, we are committed to cooperate with agencies and community groups that address these issues.

The following document outlines policy on student **This policy addresses learner** use of alcohol and other drugs in the school district. This policy is in effect on premises owned, leased or maintained by the school district, at all school-related activities on and off campus, on vehicles used to transport **students learners** to and from school or at other activities and in vehicles parked on school property. **Student Learners** and parents/guardians **members of the school community** are expected to know and understand the policy provisions and its mandatory nature. A copy of the policy will be provided to all **students learners** and parents.

POLICY

A **student learner** shall not possess, use, distribute, transfer, conceal, sell, attempt to sell, deliver, **give, exchange or** ~~not~~ be under the influence of alcohol, **illicit drugs, narcotics, dangerous or illegal chemical substances.** **and/or other drugs.** **Students Learners** shall not engage in alcohol and/or other drug use/abuse, nor possess paraphernalia specific to the use of alcohol and/or other drugs.

Students shall not engage in the use of alcohol and/or other drugs.

Students Learners who use prescription drugs **or medical cannabis** authorized by a licensed physician do not violate this policy if the **students learners** conform to the prescription and appropriate school policies. **The exception to this policy is the instructor supervised storage, dispensation and use of alcohol in culinary labs and competitions.**

DISCIPLINARY SANCTIONS AND IMPLEMENTATION PROCEDURES

- A. The following procedures will be used in dealing with possession, use, or being under the influence of alcohol and other drugs. State and federal regulations regarding special education learners will be followed.

First Offense:

1. The administration will notify the parent(s)/guardians(s) and schedule a conference;
2. The administration shall suspend the learner for up to ten (10) days in compliance with learner due process procedures;
3. The administration shall notify available law enforcement authorities;

The suspension of a learner who completes a drug/alcohol assessment from a certified or licensed addiction counselor or a licensed physician trained in chemical dependency and recommended program, if any, will be commuted to three (3) days, provided the assessment and program are completed, unless good cause is shown to and approved by the administration, within twenty (20) school days. Fees for this assessment and treatment are the responsibility of the learner and family.

Upon receipt of appropriate authorization, the agency or professional will notify the school administration in writing that the learner has been evaluated and to comply successfully, completed any recommended treatment program.

Second Offense:

1. The administration will contact the parent(s)/guardian(s) and schedule a conference.
2. The administration shall notify available law enforcement authorities.
3. The administration shall suspend for up to ten (10) days in compliance with learner due process procedures.

A long-term suspension hearing shall be scheduled before the school board pursuant to due process rules for long-term suspension. The administration will recommend to the school board that the learner be suspended for ninety (90) school days. The ninety (90) day suspension for a second offense may be reduced to ten (10) school days if the learner completes an accredited intensive prevention or treatment program. Fees for this assessment and/or treatment are the responsibility of the learner and family.

Subsequent Offenses:

1. The administration will contact the parent(s)/guardian(s) and schedule a conference.
2. The administration shall notify available law enforcement authorities.

3. The administration shall suspend for up to ten (10) days in compliance with learner due process procedures.
 4. An expulsion hearing shall be scheduled before the school board pursuant to due process rules for expulsion. The administration will recommend to the school board that the learner be expelled.
- B. Distributing (supplying free or selling) Alcohol and Other Drugs or Material Represented to be a Controlled Substance - (all occurrences):
1. The administration will contact the parent(s)/guardian(s) and schedule a conference.
 2. The administration shall notify available law enforcement authorities.
 3. The administration shall suspend for up to ten (10) days in compliance with learner due process procedures.
 4. A long-term suspension hearing shall be scheduled before the school board pursuant to due process rules for long-term suspension. The administration will recommend to the school board that the learner be suspended for up to ninety (90) school days.
 5. A second offense for distributing alcohol or drugs shall result in an expulsion hearing being scheduled before the school board and the administration will recommend the learner be expelled for one year.
 6. State and federal regulations regarding special education learners will be followed.

USE OF ALCOHOL SENSORS

In keeping with its commitment to protect all pupils and the school community from the harm of alcohol use, the Board authorizes the Superintendent, Principals, and designee(s), to use a portable breath test (PBT) and passive breath alcohol sensor device (PBASD) to screen for evidence of breath alcohol.

The purpose for using a PBT and PBASD is to protect pupils who may be under the influence of alcohol, other pupils, staff and community members attending school events and to deter the use of alcohol by pupils. As PBT and PBASD implementation is intended primarily as a deterrent to learner and youth alcohol use, nothing set forth in this policy precludes school district personnel from using the power of observation and professional judgment when there is reasonable suspicion of youth alcohol consumption.

The Board authorizes PBT and PBASD screening of learners during the school day upon reasonable suspicion that a learner may have consumed alcohol, and of attendees before, during and after school activities/events including, but not limited to dances, athletic events, proms, class trips, drama productions, graduation ceremonies, or school assemblies.

Procedurally, district personnel will not vary from the normal course of action outlined in Policy JGD: Learner Suspension or Expulsion when evidence of alcohol consumption is derived from a PBT, PBASD reading or personal observation.

If the PBT or PBASD screening indicates the presence of alcohol on District learner, the matter shall be reported to the Principal or designee and law enforcement. District learners violating this policy will be disciplined according to the discipline procedures outlined in this policy and other relevant policies. School age persons from other districts attending school and district sponsored events who are suspected of alcohol consumption will be reported to the Principal or designee and law enforcement.

The Board shall provide notices to learners, staff, parents and guardians of this policy.

Legal References: [SDCL 13-32-4 \(School board to assist in discipline\)](#)
[SDCL 13-32-4.2 \(Procedure for suspension\)](#)
[SDCL 13-32-4.3 \(Effect of suspension or expulsion on enrollment\)](#)
[SDCL 13-32-9 \(Suspension from extracurricular activities\)](#)
[SDCL 22-42-19 \(Drug free zones created\)](#)
[SDCL 26-11-5.1 \(Notice by law enforcement of suspected student alcohol/drug violation or violence threat\)](#)
[SDCL 34-20G \(Medical Cannabis\)](#)
[Public Law 101-226 \(Drug-Free school and communities act of 1989\)](#)

Cross References: [IGD: LEARNER ACTIVITIES](#)
[JGD: LEARNER SUSPENSION OR EXPULSION](#)
[JGD-E\(1\): NOTICE OF HEARING FOR LONG-TERM SUSPENSION OR EXPULSION](#)
[JHCDE: ADMINISTRATION OF MEDICAL CANNABIS TO QUALIFYING LEARNERS](#)
[JHCDE-E\(1\): MEDICAL CANNABIS ADMINISTRATION PLAN](#)

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