

**SERIES 400  
STUDENTS**

443.4

**STUDENT ALCOHOL AND OTHER DRUG USE**

It is the policy of the Marshall school District that students and employees have the right to attend school and work in an environment that is free from the use of alcohol, illegal drugs and controlled substances. These substances interfere with the learning environment of students and the performances of students and employees.

The use, possession, sale, intent to sell or transfer of controlled substances including prescription drugs, drug paraphernalia or alcohol, a look-alike drug (any imitation of any drug), or having such items as chemicals or alcohol in a person's system in or on school property, in any district owned or contracted vehicle or at school-sponsored events is prohibited. However, use of prescription drugs with a valid prescription and used for a legitimate medical purpose shall not violate this policy.

The District recognizes that alcohol and other drug abuse (AODA) by a student, his/her family members and/or other significant persons in the student's life may have an adverse effect on the student's attitude, behavior, learning and/or general health. It may even lead to the illness of chemical dependency or co-dependency. Since early intervention and, whenever possible, prevention is deemed best, the District shall offer an AODA program that provides for prevention, intervention and promotion of a drug-free lifestyle. Specifically, the District will:

1. Identify students who are affected in some way by their own or others alcohol and other drug use and refer them to appropriate help within the District or the community.
2. Hold students accountable for their behavior and discipline them accordingly if they violate provisions of this policy. In dealing with AODA related concerns, the District's primary educational intent is to be helpful, not judgmental.
3. Work with students and provide them with direction and support for growth and responsible behavior.
4. Cooperate with parents and community agencies whenever possible to expedite appropriate AODA referrals.
5. Strive to make the school environment sensitive to the needs of students with AODA concerns.
6. Ensure that the services provided through the Student Assistance Program (SAP) are available to all students at each building level, and that the staff providing assistance are trained specifically for their respective roles. Staff members participating in prevention and intervention activities will receive ongoing inservice and support for their contribution to the SAP program.
7. Annually inform students and their parents or guardians of this policy and its implementing procedures.

8. Provide an ongoing review of the district's alcohol and drug program via the AODA advisory committee.
9. Include curriculum units designed to discourage student use and abuse of alcohol and other drugs.

## PREVENTION

All schools will establish an environment that discourages use and abuse of and dependency on alcohol and other drugs (AODA).

- I. The implementation of all Board policies and procedures regarding the use of alcohol and other drugs is the responsibility of the building principal or his/her designee who will:
  - a. Publish the policies and procedures in the student handbook or District newsletter
  - b. Identify a building level AODA contact person who will:
    - 1) Institute the procedures to process referrals, conduct initial AODA screens and make recommendations.
    - 2) Cooperate with community agencies which conduct AODA assessments and provide AODA specific therapy.
    - 3) Establish and facilitate the process of referral to the Student Assistance Program (SAP).
- II. The District will continue to offer educational and staff development opportunities specific to AODA education. The K-12 curriculum will continue to be assessed for appropriate contributions to AODA education.
- III. Students are encouraged to refer themselves or others for assistance with alcohol and other related problems and concerns.
  - a. Student confidentiality shall be maintained in accordance with state and federal laws.
  - b. Students may contact any staff member who will then make a referral to the building AODA contact person.

## INTERVENTION

Responsibilities related to non-emergency suspicion of a student being under the influence of drugs or alcohol.

The Employees will:

1. Notify the building principal who will escort the student to the office
2. The student will be interviewed by the principal who may choose to have trained staff members proceed with a drug identification test.

3. The student may be required to submit to a breath test to determine the presence of alcohol or a urine screening test to determine the presence of drugs if the student denies being under the influence of alcohol or drugs and no immediate mitigating evidence is provided to reduce suspicion. Refusal to submit to testing for presence of drugs/alcohol shall be treated as a positive test. Parents/guardians will be expected to pay the costs of necessary screening tests.
4. Parents or guardians will be contacted by the building principal.

## CONSEQUENCES

If a student is found using, possessing selling, intending to sell or transferring controlled substances including prescription drugs, drug paraphernalia or alcohol, a look-alike drug (any imitation of any drug), or having such items in a person's system in or on school property, in any district owned or contracted vehicle or at school-sponsored events or the student refuses to submit to testing, the following consequences may be invoked at the District's discretion:

### First Offense:

- An out of school suspension that may be up to fifteen (15) days in length pending Board approval with a possible recommendation made for expulsion
- Referral to building level AODA trained professional for alcohol and drug screening
- Referral to an outside agency for an AODA assessment completed at parent expense
- Re-admit conference with student and parents/guardians following suspension
- Contract established which may include such things as closed campus, UA's provided at parent expense and no unexcused absences or tardies
- Referral to local law enforcement
- A contract that is broken may result in referral for expulsion

### Second Offense:

- An out of school suspension that may be up to fifteen (15) days in length pending Board approval with a possible recommendation made for expulsion
- Required completion of an outside AODA assessment provided at parent expense
- Verification that a student follows the recommendations made by an outside provider. If a student fails to follow the recommendations, he/she may be referred for a pre-expulsion conference.
- Re-admit conference with student and parents/guardians following suspension
- Re-visit contract for closed campus, UA's, unexcused absences or tardies
- Referral to local law enforcement
- A contract that is broken may result in referral for expulsion

The results of the breath test screening device or a UA, or the fact that a pupil refused to submit to such testing will be made available for use in any hearing or proceeding regarding the discipline, suspension or expulsion of a student due to alcohol use.

An immediate referral to local law enforcement will occur if a student is found to be engaging in the selling, distribution or intent to sell or distribute controlled substances, including prescription

drugs, drug paraphernalia, alcohol or a look-alike drug (any imitation of any drug) on school grounds or at school events. A referral for expulsion will follow.

Legal References:     Sections 118.164 Wisconsin Statutes  
  118.257  
  118.45

Cross References:

Date of Adoption:     December 21, 1994

Date of Revision:     January 16, 2008  
  April 19, 2017