

MINNETONKA SCHOOL DISTRICT

POLICY 547: STUDENT CHEMICAL USE POLICY

I. PURPOSE

In order for students to reach their highest personal and academic aspirations, each student must work to have a chemically free life. Throughout the formative years for children, one of the significant factors that interferes with a student's physical and academic growth is the use and abuse of chemicals. The Minnetonka School Board believes that the District's schools have an important role in the community partnership for the education, intervention and prevention of chemical use and abuse by students who are enrolled in its schools. This role is not held solely by the District, but it is part of a larger partnership between the home and community.

The purpose of this policy is to assist the District in maintaining a safe and healthy environment for students, staff, and visitors by prohibiting the use, abuse, possession, sale, or transfer of any chemicals on District property or at District events. Therefore, the Board supports the enforcement of a chemically-free environment and the periodic assessment of the District's efforts to support it.

II. GENERAL STATEMENT OF POLICY

- A. The School Board believes that education is an important factor in the establishment of patterns of behavior related to good health. Curriculum related to preventing chemical use is introduced at the elementary level and reinforced in greater depth at the secondary level.
- B. The Board is committed to providing a safe and supportive chemically free school environment for all students, employees, and patrons. The District's buildings, campuses and school-related activities are chemical and tobacco free. The Board recognizes that underage use of tobacco, alcohol and illicit drugs is illegal, a threat to health and safety to students and others, wrong and harmful to learning.
- C. The Board recognizes that chemical dependency is a treatable health problem, which does not respect any group or age.
- D. This policy prohibits advertising chemicals on school property and at school-sponsored events or in publications. Clothing, apparel, student artwork, or accessories that promote products or activities that are illegal for use by minors are also prohibited.

III. DEFINITIONS

- A. Chemicals are defined as all tobacco products, alcoholic beverages, malt beverages or fortified wine and other intoxicating liquor, any narcotic, hallucinogenic, amphetamine,

barbiturate, marijuana, inhalants, or other controlled substance, as defined by state and federal law. Abuse of a prescription drugs over-the-counter (OTC) drugs, and facsimile drugs, as well as, possession of drug paraphernalia also constitute violations of this policy.

- B. The District is defined as any District owned or leased building, school grounds (including school bus stops), school authorized vehicles used to transport students to or from school or school activities or off District property during any District sponsored or District approved activity, event, or function, such as a field trip, or co-curricular activity.
- C. “Under the influence” is defined as detectable consumption.
- D. Possession is defined as, “to bring a chemical or paraphernalia to school on one’s person or belongings on school grounds or to any school activity (on or off school grounds)”.
- E. Chemical Pre-Assessment Team, determined by the building principal, is comprised of the chemical health specialist, school nurse, counselor, principal, truancy coordinator, teachers and any other appropriate professional staff

IV. DISTRICT ACTIONS

- A. Students found under the influence of a chemical including tobacco, in possession, and/or distributing of a chemical or drug paraphernalia at school will be suspended and may face additional consequences such as, but not limited to, loss of school privileges, community service, and possible recommendation for expulsion.
- B. Due to developmental differences between elementary, middle, and secondary students; and the types of violations, the number of suspension days and additional consequences
 - 1. For violations regarding the possession or use of tobacco, the number of suspension days will be as follows:
 - i) Grades K-5: Violation 1—Warning, Violation 2 and beyond—1 day;
 - ii) Grades 6-8: Violation 1—1 day; Violation 2—1-3 days; Violation 3 and beyond—3-5 days;
 - iii) Grades 9-12: Violation 1—1 day; Violation 2—3 days of suspension; Violation 3 and beyond—6-10 days.
 - 2. For violations regarding the possession or use of chemicals, the number of suspension days will be as follows:
 - i) K-5: Violation 1—0-1 days; Violation 2—1 day; Violation 3 and beyond—3-5 days
 - ii) Grades 6-8: Violation 1—3-5 days; Violation 2—3-5 days; Violation 3 and beyond—7-10 days
 - iii) Grades 9-12: Violation 1—4-15 days; Violation 2—6-15 days of suspension; Violation 3 and beyond—10-15 days

3. Prior to the re-entry conference, the student is required to meet with the District's chemical health specialist for an initial screening. Failure to do so may result in additional disciplinary action.
 - i) Members of the pre-assessment chemical team will follow-up with the student upon his/her return to school to provide any on-going assistance.
 4. Students who participate in activities governed by the Minnesota State High School League will also be subject to penalties covered by League Rules.
 5. The Superintendent, or designee, may use discretion in determining whether, under the circumstances, a course of action other than the minimum or consequence specified above is warranted.
 - a. The police will be called at the time of the incident and all chemical substances and/or paraphernalia and substances will be turned over to them and the incident for potential police action.
- C. All offenses are cumulative over a student's enrollment at a school within the District. However, the Superintendent, or designee, has discretion to initiate a new accumulation cycle in assigning the consequences if extenuating circumstances exist.
- D. Based on the severity and/or frequency of a violation, the Superintendent may make a recommendation to the Board to expel the student.

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 138.163 (Records Management Act)
Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. §§ 7101-7165 (Safe and Drug-Free Schools and Communities Act)

Cross References:
Policy 419 (Tobacco-free Environment)
Policy 506 (Student Discipline)
Policy 515 (Protection and Privacy of Pupil Records)
Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

Approved: January 7, 2010