

# Lakeland Joint School District #272

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**LJSD Vision: A community committed to academic excellence ... dedicated to student success.**

## **BREATHALYZER CONSENT FORM**

On behalf of my student / \_\_\_\_\_ (name of student),

I, \_\_\_\_\_, the parent/guardian/custodian of the above-named student, hereby give my consent to authorize Lakeland Joint School District #272 administrators, school resource officers (SRO), and armed district safety specialists (ADSS) to utilize a breathalyzer on the above-named student, prior to entry to school-sponsored activities.

### **EVENTS**

Battle for the Paddle (or other community sponsored event)

Fight for the Fish (or other community sponsored event)

Prom

I understand that refusal to consent to this Breathalyzer Consent Form will result in my student not being granted entry into the above-listed event.

I understand that refusal to take the breathalyzer test will result in my student not being granted entry into the above-listed event.

Further, I understand that a positive test may result in disciplinary action up to and including dismissal from the school sponsored activity, from District Property, and further potential disciplinary action in accordance with District policies.

Parent Signature \_\_\_\_\_

Print \_\_\_\_\_ Date \_\_\_\_\_

### Cross References:

3370 - Searches and Seizure

3410 - School Sponsored Student Activities

## BREATHALYZER PARENT CONSENT FORM

### ~~ALCOHOL TESTING CONSENT FORM PER POLICIES;~~

On behalf of my student / ~~guest student of Lakeland Joint School District #272~~  
~~\_\_\_\_\_ (name of student),~~

I, ~~\_\_\_\_\_~~, the parent/guardian/custodian of ~~the~~  
~~above-named~~ student, hereby give my consent to authorize Lakeland Joint School District #272 administrators, ~~school resource officers (SRO)~~, and ~~armed district safety specialists (ADSS)~~ faculty to determine the absence or the presence of alcohol in my student's body through the ~~utilize use a~~ of breathalyzers ~~on the above-named student at any LJSD school-sponsored student activity, prior to entry to~~ of school-sponsored activities.

~~(Does the Board want to include all activities or specified school sponsored events?)~~

### **LIST EVENTS!!**

Battle for the Paddle (or other community sponsored event)

Fight for the Fish (or other community sponsored event)

Prom

~~I further understand that a positive test, refusal to authorize this form, or refusal to take the test, may result in disciplinary action up to and including dismissal of said school sponsored activity and property. I understand that any positive test administered will result in parent contact following the positive test, refusal of authorized form, or refusal from my student to take the test. [1] [ss2]~~

I understand that refusal to consent to this Breathalyzer Consent Form will result in my student not being granted entry into the above-listed event.

I understand that refusal to take the breathalyzer test will result in my student not being granted entry into the above-listed event.

Further, I understand that a positive test may result in disciplinary action up to and including dismissal from the school sponsored activity, from District Property, and further

potential disciplinary action in accordance with District policies.

Parent Signature \_\_\_\_\_

Print \_\_\_\_\_ Date \_\_\_\_\_

3370 - Searches and Seizure

3410 - School Sponsored Student Activities

#### Megan Suggestions

My comments on the policies are included below. Regarding the breathalyzer form, I have questions as to whether this is used for every student and guest before a school activity? It's interesting because it certainly removes any 4th Amdt unreasonable search and seizure argument if the parent consents in advance to the test, but I can't imagine that we actually confirm that we have these on file before allowing a student to enter a dance? If we have figured out a way to administer that then great, but I caution having the form if we aren't using it consistently as it is contemplated because we then undermine our other ability to test without reasonable suspicion.

~~As far as the language,~~

~~+ don't know what ADSS means, would staff ever administer a test?~~

~~+ think I would delete "student" from school sponsored activity. That is too limiting and can create an argument that something was a District sponsored event, rather than a student event and therefore we didn't have consent to test.~~

+ would not list the type of activity but rather identify any and all District sponsored activity, whether it occurs on District premises or otherwise.

-I recommend revising this language: "I further understand that refusal to consent to this Breathalyzer Parent consent form, a positive test, or a refusal to take the test, may result in disciplinary action up to and including dismissal from said school sponsored activity, from District Property, and further potential disciplinary action in accordance with District policies."

+ don't think that last sentence is necessary. It is our practice to call the parents with a positive test or refusal and that doesn't need to be something they consent to.