

I. PURPOSE

The school board recognizes that chemical use and abuse constitutes a grave threat to the physical and mental well-being of students and employees and significantly impedes the learning process. Chemical use and abuse also creates significant problems for society in general. The school board believes that the public school has a role in education, intervention, and prevention of chemical use and abuse. The purpose of this policy is to assist the school district in its goal to prevent chemical use and abuse by providing procedures for education and intervention.

II. GENERAL STATEMENT OF POLICY

- A. Use or possession of controlled substances, toxic substance, medical cannabis, ~~toxic substances~~, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited in the school setting in accordance with school district policies with respect to a Drug-Free Workplace/Drug-Free School.
- B. ~~It is the policy of this school district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement. to provide an instructional program in every elementary and secondary school in chemical abuse and the prevention of chemical dependency.~~
- C. Every ~~The~~ school district that participates in a school district chemical abuse program shall establish ~~and maintain in every school~~ a chemical abuse preassessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- ~~D. It will be the responsibility of the superintendent, with the advice of the school board, to establish a school and community advisory team to address chemical abuse problems in the district.~~
- DE. The school district shall establish ~~and maintain~~ a drug-free awareness program ~~to for educate and assist it's employees, students and others in understanding this policy and the goals of achieving drug-free schools and workplaces.~~

III. DEFINITIONS

- A. "Chemical abuse," as applied to students, means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the

~~_____ student's- minor's normal function in academic, school, or social activities is chronically impaired.~~

~~B. _____ "Controlled substances," as applied to the chemical abuse assessment of _____ students, means a drug, substance, or immediate precursor in Schedules I _____ through V of Minnesota Statutes section 152.02 and "marijuana" as defined in _____ Minnesota Statutes section 152.01, subdivision 9 but not distilled spirits, wine, _____ malt beverages, intoxicating liquors or tobacco. As otherwise defined in this _____ policy, "controlled substances" include narcotic drugs, hallucinogenic drugs, _____ amphetamines, barbiturates, marijuana, anabolic steroids, or any other _____ controlled substance as defined in Schedules I through V of the Controlled _____ Substances Act, 21 United States Code section 812, including analogues and I _____ ook-alike drugs.~~

~~C. _____ "Drug prevention" means prevention, early intervention, rehabilitation referral, _____ recovery support services, or education related to the illegal use of drugs, such as _____ raising awareness about the consequences of drug use that are evidence based.~~

~~B. _____ "Chemicals" includes, but is not limited to, alcohol, toxic substances, medical _____ cannabis, and controlled substances as defined in the school district's Drug-Free _____ Workplace/Drug-Free School policy.~~

~~C. _____ "Use" includes to sell, buy, manufacture, distribute, dispense, use, or be under _____ the influence of alcohol and/or controlled substances, whether or not for the _____ purpose of receiving remuneration.~~

~~D. _____ "School location" includes any school building or on any school premises; on any _____ school-owned vehicle or in any other school-approved vehicle used to transport _____ students to and from school or school activities; off-school property at any _____ school-sponsored or school-approved activity, event or function, such as a field _____ trip or athletic event, where students are under the jurisdiction of the school _____ district; or during any period of time such employee is supervising students on _____ behalf of the school district or otherwise engaged in school district business.~~

~~D. _____ "Teacher" means all persons employed in a public school or education district or _____ by a service cooperative as members of the instructional, supervisory, and _____ support staff including superintendents, principals, supervisors, secondary _____ vocational and other classroom teachers, librarians, counselors, school _____ psychologists, school nurses, school social workers, audio-visual directors and _____ coordinators, recreation personnel, media generalists, media supervisors, and _____~~

speech therapists.

IV. STUDENTS

A. Districtwide School Discipline Policy

Procedures for detecting and addressing chemical abuse problems of a student while on school premises are included in the districtwide school student discipline policy.

BA. Programs and Activities Instruction

1. The Every-school district shall develop, implement, and evaluate comprehensive provide an instructional programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievements. The programs and activities may include, among other programs and activities, drug prevention activities and programs that may be evidence based, including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes. in chemical abuse and the prevention of chemical dependency. The school district may involve parents, students, health care professionals, state department staff, and members of the community in developing the curriculum.
2. As part of its drug-free programs, the school district may implement the drug abuse resistance education program (DARE) that enables peace officers to undergo the training to teach a curriculum on drug abuse resistance in schools.

Each school shall have age-appropriate and developmentally based activities that:

- a. address the consequences of violence and the illegal use of drugs, as appropriate;
- b. promote a sense of individual responsibility;
- c. teach students that most people do not illegally use drugs;
- d. teach students to recognize social and peer pressure to use drugs illegally and the skills for resisting illegal drug use;
- e. teach students about the dangers of emerging drugs;

- ~~f. engage students in the learning process; and~~
- ~~g. incorporate activities in secondary schools that reinforce prevention activities implemented in elementary schools.~~
- ~~3. Each school shall have activities that involve families, community sectors (which may include appropriately trained seniors), and a variety of drug and violence prevention providers in setting clear expectations against violence and illegal use of drugs and appropriate consequences for violence and illegal use of drugs.~~
- ~~4. Each school shall disseminate drug and violence prevention information within the school and to the community.~~
- ~~5. Each school shall have professional development and training for, and involvement of, school personnel, student services personnel, parents, and interested community members in prevention, education, early identification and intervention, mentoring, or rehabilitation referral, as related to drug and violence prevention.~~
- ~~6. Each school shall have drug and violence prevention activities that may include the following:
 - ~~a. Community wide planning and organizing activities to reduce violence and illegal drug use, which may include gang activity prevention.~~
 - ~~b. The hiring and mandatory training, based on scientific research, of school security personnel who interact with students in support of youth drug and violence prevention activities under this policy that are implemented in the school.~~
 - ~~c. Conflict resolution programs, including peer mediation programs that educate and train peer mediators and a designated faculty supervisor, and youth anti-crime and anti-drug councils and activities.~~
 - ~~d. Counseling, mentoring, referral services, and other student assistance practices and programs, including assistance provided by qualified school-based mental health services providers and the training of teachers by school-based mental health services providers in appropriate identification and intervention techniques for students at risk of violent behavior and illegal use~~~~

~~_____ of drugs.~~

~~e. _____ Programs that encourage students to seek advice from, and to confide in, a trusted adult regarding concerns about violence and illegal drug use.~~

CB. ~~Reports of Use, Possession, or Transfer of Alcohol or a Controlled Substance Chemical Use and Abuse~~

~~1. _____ In the event that a school district employee knows that a student is abusing, possessing, transferring, distributing or selling chemicals in a school location:~~

~~a. _____ The employee shall immediately either take the student to an administrator or notify an appropriate administrator of the observation and continue to observe the student until the administrator arrives.~~

~~b. _____ The administrator will notify the student's parents. If there is a medical emergency, the administrator will notify the school nurse and/or outside medical personnel as appropriate.~~

~~c. _____ The administrator will notify law enforcement officials, the student's counselor, and the chemical preassessment team.~~

~~d. _____ The administrator and/or law enforcement officials will confiscate the chemicals and/or conduct a search of the student's person, effects, locker, vehicle, or areas within the student's control. Searches by school district officials shall be in accordance with school board policies regarding search and seizure.~~

~~e. _____ The school district will take appropriate disciplinary action in compliance with the student discipline code. Such discipline may include immediate suspension, initiation of expulsion proceedings, and/or referral to a detoxification center or medical center.~~

~~2. _____ If a school district employee has reason to believe that a student is abusing, possessing, transferring, distributing or selling chemicals:~~

~~a. _____ The employee shall notify the building administrator or a member of the preassessment team and shall describe the basis for the suspicion. The building administrator and/or team will determine what action should be taken. Action may include conducting an investigation, gathering data, scheduling a conference with the student or parents, or providing a meeting between a single~~

~~_____ member of the team and the student to discuss the behaviors that
_____ have been reported and attempting to ascertain facts regarding
chemical abuse:~~

~~b. _____ The team may determine there is no chemical abuse. If the team
determines there is chemical abuse, the team will select an
appropriate course of action, which may include referral to a
school counselor; referral to a treatment program; referral for
screening, assessment, and treatment planning; participation in
support groups; or other appropriate measures:~~

~~1. _____ A teacher in a nonpublic school participating in a school district chemical
use program, or a public school teacher, who knows or has reason to
believe that a student is using, possessing, or transferring alcohol or a
controlled substance while on the school premises or involved in
school-related activities, shall immediately notify the school's chemical
abuse preassessment team, or staff member assigned duties similar to
those of such a team, of this information.~~

~~23.~~ Students involved in the abuse, possession, transfer, distribution or sale of chemicals ~~shall~~ may be suspended and proposed for expulsion in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minnesota: Statutes section §121A.40-121A.56, and proposed for expulsion.

~~34.~~ Searches by school district officials in connection with the ~~ab~~use, possession, ~~or transfer, distribution or sale of alcohol or a controlled substance chemicals~~ will be conducted in accordance with school board policies related to search and seizure.

~~4. _____ Nothing in paragraph IV.B.1. prevents a teacher or any other school
employee from reporting to a law enforcement agency any violation of
law occurring on school premises or at school sponsored events.~~

~~DE.~~ Preassessment Team

1. Every school that participates in a school district chemical abuse program shall establish ~~have~~ a chemical abuse preassessment team designated by the superintendent or designee. The team ~~will~~ must be composed of classroom teachers, administrators, and to the extent they exist in the school, school nurse, school counselor or psychologist, social worker, chemical abuse specialist, and other appropriate professional staff ~~to the extent they exist in each school, such as the school nurse, school~~

- ~~— counselor or psychologist, social worker, chemical abuse specialist, or others. For schools that do not have a chemical abuse program and team, the superintendent or designee will assign these duties to a designated school district employee.~~
2. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
 3. Within forty-five (45) days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the student’s parents with information about school and community services in connection with chemical abuse.

ED. Data Practices

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minn-~~esota~~ Stat-~~utes~~ section§ 13.32 and applicable federal law and regulations.

2. Destruction of Records

- a. If the preassessment team decides not to provide a student and, in the case of a minor, the student’s parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.
- b. If the team decides to provide the student and, in the case of a minor or a dependent student, the student’s parents with ~~such~~ information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled in the district.
- c. ~~This section shall govern~~ Destruction of records identifying individual students shall be governed by paragraph IV.E.2. notwithstanding provisions of the Records Management Act, Minn-~~esota~~ Stat-~~utes~~ section§ 138.163 (Preservation and Disposal of Public Records).

FE. **Consent**

Any minor may give effective consent for medical, mental and other health services to determine the presence of or to treat conditions associated with alcohol and other drug abuse, and the consent of no other person is required.

~~F.~~ ~~School and Community Advisory Team~~

~~1.~~ ~~The superintendent, with the advice of the school board, shall establish a school and community advisory team to address chemical abuse problems. The advisory team may be composed of representatives from the school preassessment teams to the extent possible, law enforcement agencies, county attorney's office, social service agencies, chemical abuse treatment programs, parents, and the business community.~~

~~2.~~ ~~The advisory team shall:~~

~~a.~~ ~~build awareness of the problem within the community, identify available treatment and counseling programs for students and develop good working relationships and enhance communication between the schools and other community agencies; and~~

~~b.~~ ~~develop a written procedure clarifying the notification process to be used by the chemical abuse preassessment team when a student is believed to be in possession of or under the influence of~~

~~alcohol or a controlled substance. The procedure must include contact with the student and the student's parents or guardian in the case of a minor student.~~

V. **EMPLOYEES**

A. The ~~school district shall establish~~ superintendent or designee shall undertake and maintain a drug-free awareness ~~and prevention~~ program to inform employees; ~~students and others~~ about:

1. The dangers ~~and health risks of chemical drug~~ abuse in the workplace/~~school~~.

2. The school district's ~~drug-free workplace/drug-free school~~ policy of maintaining a drug-free workplace.

3. ~~Any~~ available drug ~~or alcohol~~ counseling, ~~treatment,~~ rehabilitation, ~~re-entry~~ and/or ~~employee~~ assistance programs ~~available to employees and/or students.~~
 4. The penalties that may be imposed on employees for drug abuse violations.
- B. The ~~school district superintendent or designee~~ shall notify ~~any~~ federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice ~~from the employee or otherwise receiving actual notice~~ of ~~any criminal drug statute~~ conviction ~~of an employee for a criminal drug statute violation~~ occurring in the workplace. ~~To facilitate the giving of such notice, any employee aware of such a conviction shall report the same to the superintendent.~~

Adopted: 8/14/2012

Revised: ~~10/28/2019~~; 4/22/2024