

SALINE AREA SCHOOLS ADMINISTRATIVE REGULATIONS

Student Behavior and Safety Regulations Related to Alcohol, Tobacco and Other Drugs (ATOD)

Adopted as regulations by the Saline Board of Education on June 26, 1990.

Revised November 13, 1990; April 22, 1992; June 15, 1993;

June 24, 1997; May 8, 2001; June 11, 2002; June 8, 2004;

Administrative Review 5-20-03; Revised June 8, 2004; June 13, 2006

I. Responsibilities and Expectations of the School District, the Students, and the Parents/Guardians

- A. The Board of Education is responsible for establishing policy and directing its implementation. School administrators shall enforce the policy/regulations and educate the entire school community on their structure and function. Teaching and support staff must understand the policy/regulations and put them into practice within their job responsibilities.
- B. Because the possession or use of alcohol, tobacco, and other drugs by students is a deterrent to learning, disruptive to every aspect of school life, and detrimental to the health and safety of our students, the District is committed to providing a safe school environment that is free of alcohol, tobacco, and other drugs, and which eliminates disruptions to the learning environment and health/safety risks caused by substance abuse behaviors.
- C. Consistent with applicable legal standards, the District shall establish student behavior and safety regulations and impose consistent discipline consequences for student behavior related to alcohol, tobacco, and other drugs.
- D. Because the negative and disruptive impact of alcohol, tobacco, and other drugs is not limited to conduct which solely occurs on school property or at school activities, a student is subject to disciplinary consequences for violating the behavior and safety regulations regardless of the date, time, or place of the violation.
- E. In learning and modeling healthy behavior, students shall comply with the student behavior and safety regulations related to alcohol, tobacco, and other drugs.
- F. As partners with the District in promoting healthy behavior, parents should encourage their child to comply with the student behavior and safety regulations related to alcohol, tobacco, and other drugs.
- G. The District shall provide prevention education activities for students, staff, and the community, which address the legal, health, and social consequences of alcohol, tobacco, and drug use.

II. District Responsibilities for Prevention and Support Services.

- A. The District's comprehensive K-12 health education program shall include substance abuse prevention instruction which:
1. Provides information about the physiological and psychological effects of alcohol, tobacco, and other drugs.
 2. Promotes respect for physical, mental, and emotional health.
 3. Develops skills in communications, coping with, and defending against negative peer pressure.
 4. Recognizes the positive value of peer support and prevention activities.
- B. The District acknowledges the importance of support groups for students experiencing personal problems including, but not limited to, students who are:
1. New to the District.
 2. Returning from an absence due to participation in a licensed substance abuse treatment program.
 3. Concerned about the use of alcohol, tobacco, or other drugs use by themselves or by another person.
 4. Experiencing loss associated with divorce, separation, extended illness, or death.
 5. Learning substance abuse prevention skills.

Support group services may also be provided on an as-needed basis as deemed appropriate by the building administrator, counselor, or Student Assistance Coordinator.

III. Support and Enforcement by School Staff

- A. It is appropriate for school staff to identify and report observable problem behavior demonstrated by students. The purpose of identifying such behavior is to provide appropriate confidentiality and assistance for any student in need. Assistance options are encouraged for students who come from substance abusing families, who are victims of sexual, physical, and emotional abuse or neglect, who demonstrate self-injurious or substance use behaviors, who are bereaved or suffer from divorce in the family or other traumatic events, or who are chemically dependent.
- B. All school staff shall promptly report to the building administrator or Student Assistance Coordinator any unusual student behavior symptomatic of alcohol, tobacco, or other drug use.
- C. All school staff shall report to the building administrator any student infraction related to alcohol, tobacco, or other drugs that occurs on school property or at a school-sponsored activity. School staff members are encouraged to report any infractions that they are made aware of that occur off campus or outside of the regular school day.
- D. A student may be searched whenever a school administrator has a reasonable basis to suspect ("reasonable suspicion") that the student may possess evidence of a

violation of school rules. Illegal materials confiscated from the student will be turned over to legal authorities. (*See Student Handbook - Search and Seizure*)

- E. Upon reasonable suspicion that a student is using alcohol, tobacco, or other drugs in school or at a school-related activity, a school administrator or activity sponsor shall request that the student submit to an immediate test for alcohol/other drugs. A student's failure to comply with the testing request is grounds for disciplinary action and may constitute a violation of these regulations.
- F. School staff shall document all observations and confiscate any evidence related to the alleged violation of the conduct rules. All confiscated items shall be promptly turned over to a school administrator or law enforcement personnel.

IV. **Administrative Principles, Definitions, and Procedures for Alcohol, Tobacco and Other Drug Violations**

A. **General Principles and Definitions**

1. **Drugs**: All "controlled substances" designated by Michigan or Federal law; any prescription or patent drug (except those for which permission to use in school has been granted under District regulations); mood-altering chemicals, look-alikes, and paraphernalia, as well as those substances not specifically enumerated which may produce addictive or harmful effects.
2. **Due Process**: After being accused of a school violation and apprised of the recommended consequence, a student has the opportunity for a fair hearing at which the student or the student's representative may present evidence and an explanation of the circumstances.
3. **Extracurricular Activities**: All school-sponsored activities which are not part of a course of study for which a student receives a grade or credit, including but not limited to: athletics, club sports, community education activities, intramurals, school-sponsored camps, marching band, clubs, activities, dances, proms, try-outs, practices, rehearsals, performances.
4. **In-Season**: The first day of practice (including try-outs) for the team on which the athlete participates until the season, post-season, and awards night for that team is completed. In consultation with the Athletic Director, each team coach shall designate the first day of the team's season.
5. **Insubordination**: Failure to obey reasonable and proper directions or instruction from any duly authorized adult school personnel; defiance of authority; intentionally contemptuous behavior or attitude; resistance; and/or refusal to answer questions **posed by a school official who is investigating an alleged violation of school policy or a threat to school safety.**
6. **Interview**: District personnel may, without prior consent of a parent/**guardian**, interview a student **about an alleged violation of school policy or a threat to school safety or as otherwise permitted by law.**

7. **Paraphernalia:** Various items and materials commonly known to be intended for the concealment, use, or preparation of drugs, including but not limited to pipes, papers, rolling apparatus, and syringes. Because of the intended use implied by these items or materials, use or possession is prohibited and subject to discipline.
8. **Possession:** Possession can be actual or constructive and will be determined by all relevant circumstances, which discern the individual's knowledge, intent, and capacity to exercise control over the item.
9. **Reasonable Suspicion:** School administrators are authorized to determine if there is a reasonable basis to suspect that a student is in violation of the student behavior and safety regulations. There are several factors that warrant reasonable suspicion, including what you hear, feel, smell, the reaction of the student, student history and the environment under which you are searching. Reasonable suspicion permits a search and is authorized by law.

B. Investigation and Disciplinary Procedures

1. When an Alcohol, Tobacco or Other Drug infraction is suspected or reported, an administrative investigation shall begin and the following procedures may occur:
 - Escort student(s) to the administrative office
 - Confiscate any evidence substantiating the infraction
 - Turn over to law enforcement items believed to violate the law
 - Document all observed behavior and proceedings
 - Notify the Student Assistance Coordinator
 - Interview victim(s), witness(es), or student(s) suspected of committing an alleged violation of district guidelines, board policy, school rules, law, or an unsafe act. School officials may conduct such interviews without prior consent of the parent/guardian
2. Once the investigation phase is complete and disciplinary action is considered eminent, school officials shall:
 - Make a good-faith effort to notify the student's parent/guardian of the violation.
 - Report to law enforcement all students found to be possessing, distributing, or under the influence of alcohol, tobacco, or other drugs.
 - Contact the Student Assistance Coordinator to assist the student and parent/guardian in locating an appropriate licensed assessment agency.
 - Notify the student and parent/guardian of the option to reduce the disciplinary consequence if the student submits to an assessment from a licensed program.
3. School administration has the legal authority to judge each disciplinary infraction of the student behavior and safety regulations on a case-by-case basis and has broad discretionary authority in each case to consider the following factors to determine appropriate disciplinary consequences:

- Factual circumstances
- Credibility of involved persons
- Severity of the infraction
- Student disciplinary history
- Cooperation of the student and parent/guardian

Each case is judged individually. Decisions rendered by the school will often differ from case to case. Saline Area Schools will be consistent in allowing all students a fair opportunity to be heard.

4. Consistent with applicable legal standards and the student code of conduct, each student will have an opportunity to exercise due process rights. (See appeal procedures in Student Handbook)
5. Board of Education consideration of discipline for alcohol or drug infractions may include (with appropriate releases) review of the student's substance abuse assessment.

V. Disciplinary Procedures (For Students in Grades 5-12)

A. Possession or Use of Alcohol, Other Drugs, Look-A-Likes, or Paraphernalia On School Property or At School-Related Activity

FIRST VIOLATION:

1. SUSPENSION FROM SCHOOL: 10 school days
2. ASSESSMENT FROM A PROGRAM LICENSED BY THE STATE OF MICHIGAN
 - If assessment is completed as scheduled, 10-day suspension may be reduced.
 - If assessment is not completed as scheduled, the remainder of the 10-day suspension shall be served.
 - In all cases, a minimum of a 3-day suspension shall be served.
 - Student and Parent/Guardian to attend an Alcohol, Tobacco and Other Drug Information Session provided by Saline Area Schools.
3. SUSPENSION FROM EXTRACURRICULAR ACTIVITIES: 2 calendar months
4. FOR ATHLETE IN SEASON: Expulsion from team for remainder of season

SECOND VIOLATION:

1. SUSPENSION FROM SCHOOL: 10-school days
2. ASSESSMENT FROM A PROGRAM LICENSED BY THE STATE OF MICHIGAN
 - If assessment is completed as scheduled, 10-day suspension may be reduced to no less than 5-days.
 - Student and Parent/Guardian to attend an Alcohol, Tobacco and Other Drug Information Session provided by Saline Area Schools
3. SUSPENSION FROM EXTRACURRICULAR ACTIVITIES: One calendar year

THIRD VIOLATION:

1. RECOMMEND EXPULSION
 - No less than the equivalent of one semester.
 - Re-admission contingent upon completion of recommendations made at time of expulsion.
2. SUSPENSION FROM EXTRACURRICULAR ACTIVITIES: Remainder of student's high school career.

B. Use or possession of Alcohol, Other Drugs, Look-A-Likes, or Paraphernalia Off School Property

FIRST VIOLATION:

1. SUSPENSION FROM EXTRACURRICULAR ACTIVITIES: 2 calendar months
2. ASSESSMENT FROM A PROGRAM LICENSED BY THE STATE OF MICHIGAN
 - Student and Parent/Guardian to attend an Alcohol, Tobacco and Other Drug Information Session provided by Saline Area Schools.
3. FOR ATHLETE IN SEASON: Expulsion from team for remainder of season

SECOND VIOLATION:

1. SUSPENSION FROM EXTRACURRICULAR ACTIVITIES: One calendar year
 - Student and Parent/Guardian to attend an Alcohol, Tobacco and Other Drug Information Session provided by Saline Area Schools

THIRD VIOLATION:

1. SUSPENSION FROM EXTRACURRICULAR ACTIVITIES: Remainder of student's high school career.

C. Sale, Distribution, or Delivery of Alcohol, Drugs, Look-Alikes, or Paraphernalia

FIRST VIOLATION:

1. SUSPENSION FROM SCHOOL: 10-school days
2. SUSPENSION FROM EXTRACURRICULAR ACTIVITIES: Remainder of student's high school career.
3. RECOMMEND EXPULSION
 - No less than the equivalent of one semester.
 - Re-admission contingent upon completion of recommendations made at time of expulsion.

D. Use or Possession of Tobacco or Smoking Paraphernalia on School Property or at a School-Related Activity.

FIRST VIOLATION:

1. SUSPENSION FROM SCHOOL: 3 school days
 - Student and Parent/Guardian to attend an Alcohol, Tobacco and Other Drug Information Session provided by Saline Area Schools

2. SUSPENSION FROM EXTRACURRICULAR ACTIVITIES: 2 calendar months
3. FOR ATHLETE IN SEASON: Expulsion from team for remainder of season

SECOND VIOLATION:

1. SUSPENSION FROM SCHOOL: 5 school days
2. SUSPENSION FROM EXTRACURRICULAR ACTIVITIES: One calendar year

THIRD VIOLATION:

1. SUSPENSION FROM SCHOOL: 10 school days
2. SUSPENSION FROM EXTRACURRICULAR ACTIVITIES: Remainder of student's high school career.

E. Discipline for any of the infractions defined in sections A-D is cumulative and progressive. After a "first violation" in any category, any violation in a different category will count as a "second violation" as defined in that category.

F. Calendar Days, Months, or Year will be calculated from the date that disciplinary action is determined.

VI. Additional Information on Participation In or Attendance At Extra-Curricular Activities

- A. Off-campus infractions are subject to these regulations as pertains to participation in extracurricular activities. The District works cooperatively with local law enforcement agencies to enforce these regulations.
- B. Violations of these regulations for Alcohol, Tobacco and Other Drugs, carry over from the Middle School to the High School pertaining to loss of participation in extracurricular activities. The student assistance coordinator shall maintain records of such violations. The Superintendent (or designee) may consider reinstatement of eligibility in the event that multiple violations occurred prior to Grade 9.
- C. Individual extracurricular clubs and activities may have additional rules that limit participation.
- D. The student may be excluded from participation in commencement ceremonies for violation of any of the Alcohol, Tobacco and Other Drugs regulations.

VII. Student Request for Assistance

- A. Any student with an alcohol, tobacco or other drug problem is encouraged to voluntarily seek help from any school agent or employee.
- B. A student who voluntarily discloses to the Student Assistance Coordinator or Administrator a need for substance abuse assistance before any reports, charges, or complaints under the student regulations are made, shall be required to follow the assessment/treatment procedures.

- C. Information gathered from a student who voluntarily requests help will not be used in district disciplinary procedures unless the Student Assistance Coordinator, in consultation with an administrator, determines that the student has requested assistance primarily to avoid disciplinary consequences.
- D. The Student Assistance Coordinator will work with the student and parent/guardians to plan a program of assessment and assistance.
1. Satisfaction of the assessment/treatment requirements must be verified in writing by agency licensed by the State of Michigan.
 2. Any expenses incurred for the assessment/treatment program will be the responsibility of the student and not the Saline Area Schools.
 3. Future disciplinary consequences for a subsequent violation will treat the self-disclosure as a "first offense".
 4. This self-disclosure exemption is available to a student only once during high school.

VIII. Treatment/Hospitalization

- A. The District shall not be responsible for the costs of a student's substance abuse assessment or treatment.
- B. The District shall cooperate with the student, parent/guardian, and treatment agency while the student is in treatment to make the experience positive to assure a successful transition back into school.
- C. The District's release of student records shall be governed by the Family Education Rights and Privacy Act (FERPA) and other applicable legal standards.

IX. Procedure for Reinstatement of Extracurricular Privilege

- A. Any student wishing reinstatement to school or of the privilege to participate in extracurricular activities (excluding interscholastic athletics) shall:
- Submit to an assessment program licensed by the State of Michigan.
 - Attend an Alcohol, Tobacco and Other Drug Information Session provided by Saline Area Schools.
 - Inform the District of the assessment results prior to the request for reinstatement.
 - Submit the reinstatement request in writing to the Student Assistance Coordinator.
- B. The Student Assistance Coordinator will convene a review committee consisting of the building Principal or Assistant Principal, and the Superintendent (or appropriate designee(s)).
- Within 14 calendar days of receipt of the request for reinstatement, the Review Committee shall invite the student and his/her representative(s) to attend a meeting to review any evidence of rehabilitation or other pertinent information.
 - The Review Committee shall render its decision within five (5) school days of the conclusion of the review session.

- In all cases, a minimum of a one calendar month suspension from participation in extra-curricular activities shall be served.
- In all cases, athletes in season will not be reinstated.
- The Student Assistance Coordinator will contact the student about the committee's decision.

BoardPolicyManualFolder
StudentAssistRegs.doc
6-13-06