

MINNETONKA PUBLIC SCHOOLS

POLICY #417: CHEMICAL USE POLICY

- This policy replaces:
 - Policy C 20 - Chemical Free School Environment
 - Policy C 14 - Drug Free School Policy for Students
 - Policy C 17 - Chemical Use Reporting Requirements
 - Policy T 13 - Tobacco-Free Environment
1. The Minnetonka School Board is dedicated to providing a healthy, comfortable, and productive environment for students, staff, and visitors. The School Board recognizes the significant problems created by chemical use and abuse in society. Tobacco or other chemical use by students is wrong and harmful. The School Board believes that public schools -have an important role in education, intervention and prevention of chemical use and abuse. The purpose of this policy is to assist the School 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. The School Board is concerned about the health of its employees and also recognizes the importance of adult role modeling for students during formative years. Therefore, the Board supports the enforcement of a chemically-free environment.
 - 1.1. The Board is committed to providing a safe and supportive chemically free school environment for all students, employees, and patrons. Our buildings, campuses and school-related activities are chemical and tobacco free. We recognize 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.
 - 1.2. The Board recognizes that chemical dependency is a treatable health problem, which does not respect any group or age. Health problems of youth are primarily the responsibility of the home and community, but schools share in that responsibility because chemical dependency use problems often interfere with school behavior, student learning, and the fullest possible development of each student. The responsibility for a chemical awareness program for students in the school setting is a shared one. The entire policy is available on the District's Web site and in the Principals' Office.
 2. The District's Chemical Use Policy shall use the following definitions:
 - 2.1. Chemicals shall be 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 drug without a physician's prescription, over-the-counter (OTC) drugs, and facsimile drugs, as well as, possession of drug paraphernalia constitute violations of this policy.

- 2.2. A School District is defined as any school 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 school property during any school sponsored or school approved activity, event, or function, such as a field trip, or co-curricular activity.
3. All students, staff, and visitors, including those 18 years of age or over are prohibited from possessing, using, abusing, or distributing chemicals on schools grounds (including school bus stops), in school and personal transportation vehicles, or at school-sponsored events.
4. 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.
5. The School Board believes that education is important in order to establish 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.
6. Due to developmental differences between elementary, middle, and secondary students, our enforcement procedures differ.
 - 6.1. The enforcement procedures for elementary school students shall be as follows:
 - 6.1.1. The first violation~ if the principal" or designee.-determines that a student has used, possessed, provided or consumed tobacco or a chemical at school, on school grounds or at a school activity or has arrived at school under the influence shall be as follows:
 - 6.1.1.1 The principal, or designee, will notify the parent and arrange for a conference.
 - 6.1.1.2 The principal, or designee, will make a police referral and refer to the building Student Support Team.
 - 6.1.1.3 The principal, or designee, will hold the conference and develop a cooperative plan with the family to avoid further offenses. (Planning will consider the physical/mental health concerns of the student).
 - 6.1.2. The second violation: if the principal, or designee, determines that a student has used, possessed, provided or consumed tobacco or a chemical at school, on school grounds or at a school activity or has arrived at school under the influence shall be as follows:
 - 6.1.2.1 The principal, or designee, will notify the parent and arrange for a conference. The principal, or designee, will make a police referral and refer to the building Student Support Team.
 - 6.1.2.2 The principal, or designee, will hold the conference and develop a cooperative plan with the family to avoid further offenses (planning will consider the physical/mental health concerns of the student).

- 6.1.2.3 The principal, or designee, will determine suspension of one to three days (in accordance with the Pupil Fair Dismissal Act).
 - 6.1.2.4 A Children In Need of Protective Services (CHIPS) petition may be filed if deemed appropriate by the school staff.
- 6.1.3. The third violation and subsequent offenses: if the principal, or designee, determines that a student has used, possessed, provided or consumed tobacco or a chemical at school, on school grounds or at a school activity or has arrived at school under the influence shall be as follows:
- 6.1.3.1 The principal, or designee, will notify the parent and arrange for a conference.
 - 6.1.3.2 The principal, or designee, will make a police referral and refer to the building Student Support Team.
 - 6.1.3.3 The principal, or designee, will hold the conference and develop a cooperative plan with the family. Due to the seriousness of this infraction the principal will recommend the family see a physician or therapist.
 - 6.1.3.4 The principal, or designee, will determine suspension of three to five days in accordance with the Pupil Fair dismissal Act.
 - 6.1.3.5 A Children In Need of Protective services (CHIPS) petition will be filed.
- 6.2. The enforcement procedures for middle school students shall be as follows:
- 6.2.1. In all tobacco and chemical policy violations, referral will be made to local law enforcement. Local law enforcement will determine whether or not a citation will be issued.
 - 6.2.2. The enforcement procedures for middle school students shall be separated into tobacco violations and chemical violations.
 - 6.2.3. The following are steps taken for tobacco violations:
 - 6.2.3.1 The first offense of a tobacco violation shall result in one (1) day of in-school suspension, parent conference, police referral.
 - 6.2.3.2 The second offense of a tobacco violation ~~is~~ shall result in one (1) day of out-of-school suspension, parent conference, police referral.
 - 6.2.3.3 The third offense of a tobacco violation ~~is~~ shall result in three (3) days of out-of-school suspension, parent conference, police referral, referral to appropriate resources.
 - 6.2.4. The following are steps taken for chemical violations.
 - 6.2.4.1 The first offense of a chemical violation shall result in a three (3) days of out-of-school suspension, parent conference, police referral, referral to the building Student Support Team (which includes a pre-assessment).
 - 6.2.4.2 The second offense of a chemical violation ~~is~~ shall result in five (5) days of out-of-school suspension, a parent conference, a police referral, and referral to the building Student Support Team. Evaluation is recommended.

6.2.4.3 The third offense of a chemical violation shall result in five (5) days of out-of-school suspension, a parent conference, a police referral, and referral to the building Student Support Team. Evaluation is required. Reentry (if appropriate) depends upon completion of a chemical use evaluation.

6.2.4.4 The fourth offense of a chemical violation shall result in five to fifteen (5-15) days of out-of-school suspension and a parent/staff conference to evaluate appropriate school placement.

6.3. The enforcement procedures for high school students shall be as follows:

6.3.1. The enforcement procedures for high school students shall be separated into tobacco violations and chemical violations.

6.3.2. The following are steps taken for tobacco violations.

6.3.2.1 The first offense of a tobacco violation will result in the student being suspended from classes for one (1) to three (3) school days and having a law enforcement referral. Prior to reinstatement to classes, the student must participate in a conference at school with a parent and a principal. Supportive Requirements: The student must confer with the Chemical Health Specialist who will recommend participation in tobacco discussions or diversion classes.

6.3.2.2 The second offense of a tobacco violation will result in the student being suspended from classes for three (3) to six (6 days) school days and having a law enforcement referral. Prior to reinstatement to classes, the student must participate in a conference at school with a parent and principal. Supportive requirement: The student must participate in a series of smoking diversion class sessions or a series of sanctioned counseling sessions addressing tobacco use issues. A written certificate of completion must be presented to the Chemical Awareness Program staff.

6.3.2.3 The third offense of a tobacco violation will result in the student being suspended from classes for seven (7) to ten (10) days. The High School Administration will make a recommendation to the Superintendent that the student be expelled from school for the remainder of the school year. During the time required for the expulsion process the student will be provided with homebound or some alternative form of instruction.

6.3.2.4 The recommendation to expel may be forwarded by the Superintendent to the School Board based upon his conclusions, unless an alternative plan is worked out. That is, the Superintendent, or designee, may offer to meet with the student and parent in a conference to determine whether to proceed with expulsion or by mutual agreement to implement an alternative instruction program off the high school campus for a period of two months. If agreement on the alternative program is reached, the recommendation to expel will be held for further conclusions. At the end of the alternative instructional period and prior to return to normal campus

activities, the student and parent must participate in a conference with the High School Principal or an assistant principal. If a fourth violation occurs, the recommendation to expel for the rest of the school year will be forwarded to the School Board for immediate action.

6.3.3. The following are steps taken for chemical violations.

6.3.3.1 The first offense of a chemical violation will result in the student being suspended from classes for four to fifteen (4-15) school days, a law enforcement referral and a possible recommendation for expulsion. Prior to reinstatement to classes, the student and a parent must participate in a principal's conference. Support Requirements: Student must meet with chemical health staff for screening interview and, if warranted, participate in a chemical dependency evaluation and follow the resulting recommendations. This must be completed, or scheduled, prior to the school reentry conference. Failure to comply with this or the chemical health screening or assessment recommendations may result in further disciplinary action.

6.3.3.2 The second offense of a chemical violation will result in the student being suspended from classes for six to fifteen (6-15) school days, a law enforcement referral and if possible recommendation for expulsion. Prior to reinstatement to classes, the student and a parent must participate in a principal's conference. Support Requirements: Student must meet with chemical health staff for screening interview and, if warranted, participate in a chemical dependency evaluation and follow the resulting recommendations. This must be completed or scheduled prior to the school reentry conference. Failure to comply with this or the chemical health screening or assessment recommendations may result in further disciplinary action.

6.3.3.3 The third offense for a chemical violation will result in the student being suspended from classes for fifteen (15) days. The High School Administration will make a recommendation to the Superintendent that the student be expelled from school for the remainder of the school year. During the time required for the expulsion process, the student will be provided with homebound or some alternative form of instruction.

6.3.3.4 The recommendation to expel may be forwarded by the Superintendent to the School Board based upon his conclusions, unless an alternative plan is worked out. That is, the Superintendent, or designee, may offer to meet with the student and parent in a conference to determine whether to proceed with expulsion or by mutual agreement to implement an alternative instructional program off the high school campus for a period not to exceed 12 months. If agreement on the alternative program is reached, the recommendation to expel will be held for further conclusions. At the end of the alternative instructional period and prior to return to normal campus activities, the student and parent must participate in a conference with the High School Principal or an assistant principal. If

another violation occurs, the recommendation to expel for the rest of the school year will be forwarded to the School Board for immediate action.

6.3.3.5 When a student is suspended, the parent will receive a document that outlines all requirements to be completed and support steps as part of the suspension process.

6.4. 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.

6.5. All offenses are cumulative over a student's enrollment at a school. However, the Superintendent, or designee, has discretion to initiate a new accumulation cycle in assigning the consequences if extenuating circumstances exist.

7. Smoking, chewing, use of tobacco or possession of tobacco in any form shall be considered grounds for suspension, exclusion or expulsion if engaged in by a pupil in or on school property, 24 hours a day, or away from school property while participating in a school-sponsored activity and/or on school buses.
8. Those students found in possession of selling, distributing, and/or under the influence of mind-altering chemicals (including alcohol), or in the possession of drug paraphernalia will be suspended from school. The District defines "under the influence" as detectable consumption. This includes violations in or on school property, 24 hours per day, or away from school property while participating in school-sponsored activity and/or on school buses. The police will be called at the time of the suspension and all paraphernalia and substances will be turned over to them and the incident will be recorded. Parents will be called and asked to come to school immediately to remove the student. If the student is incapable of transporting himself/herself and/or if the parents cannot come to school or refuse to come to school, transportation to detox will be arranged.

Approved June 6, 2002

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