

I. PURPOSE

The purpose of this policy is for Lakes International Language Academy (“the school”) to maintain a safe and healthful environment for employees and students by prohibiting the use of Alcohol, Cannabis, Toxic Substances and Controlled Substances without a physician’s prescription.

II. GENERAL STATEMENT OF POLICY

A. Use of Controlled Substances, Cannabis, Toxic Substances, and Alcohol before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled Substances is prohibited.

B. It shall be a violation of this policy for any student, teacher, administrator, other school personnel, or member of the public to use Controlled Substances, Cannabis, Toxic Substances, and Alcohol in any school location.

C. The school will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

III. DEFINITIONS

A. "Alcohol" includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.

B. “Cannabis” includes cannabis flower, product, lower-potency hemp edibles, or hemp-derived consumer product

C. "Controlled Substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, , anabolic steroids, or any other controlled Substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. 812, including analogues and look-alike drugs.

D. "Toxic Substances" include glue, cement, aerosol paint, or other Substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.

E. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of Controlled Substances, Cannabis, Toxic Substances, and Alcohol whether or not for the purpose of receiving remuneration or consideration.

F. "Possess" means to have on one’s person, in one’s effects, or in an area subject to one’s control.

G. "School location" includes any school building or on any school premises; in 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; or during any period of time such employee is supervising students on behalf of the school or otherwise engaged in school business.

IV. EXCEPTIONS

A. It shall not be a violation of this policy for a person to bring onto a school location, for such person's own use, a Controlled Substance which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the Substance. The person shall comply with the relevant procedures of this policy.

B. It shall not be a violation of this policy for a person to possess an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. 624.701, Subd. 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

V. PROCEDURES

A. Students who have a prescription from a physician for medical treatment with a Controlled **Substance** must comply with the school's student medication policy (Policy 344 Administering and Storing Medication).

B. Employees who have a prescription from a physician for medical treatment with a Controlled Substance are permitted to possess such Controlled Substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.

C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.

D. Employees are subject to the school's drug and alcohol testing policies and procedures.

1. CANNABIS TESTING AND DISCIPLINE - (MN Statutes 181.953)

- a. The School may request or require job applicants or employees to undergo drug testing for cannabis must use the services of a testing laboratory that meets specific conditions.
- b. The School will not conduct their own cannabis testing or require the contribution or payment of the cost of the test.

- c. The School will follow the current rules in statute for workplace drug and alcohol testing pertaining to giving forms acknowledging awareness of the policy, positive test procedures, notice of testing results, the rights to a copy of test results, requests of retests, and limitations on employee discharge discipline or discrimination.
- d. The School can discipline, discharge, or take other adverse personnel action against an employee for cannabis use, possession, impairment, sale, or transfer while an employee is working, school premises, or operating school vehicles / machinery / equipment IF:
 - i. As a result of consuming cannabis or hemp-derived product the employee does not have “clearness of intellect and control of self that the employee otherwise would have”
 - ii. Testing verifies cannabis or hemp-derived product use
 - iii. State or federal law or regulations authorize and require it, and if a failure to do so would cause The School to lose money or a licensing-related benefit under federal law /regulations

E. Members of the public are not permitted to possess Controlledcontrolled Substancesubstances in a school location except with the express permission of the Executive Director.

F. Possession of alcohol on school grounds pursuant to the exceptions of Minn. Stat. 624.701, Subd. 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. ENFORCEMENT

A. Students

1. A student who violates the terms of this policy shall be subject to discipline in accordance with the school’s discipline policy (Policy 308 Student Discipline). Such discipline may include suspension or expulsion from school.
2. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.

B. Employees

1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify the Executive Director in writing of his or her conviction of

any criminal drug statute for a violation occurring in any of the places listed above on which work on a school federal grant is performed, no later than five (5) calendar days after such conviction.

2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.

3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school. Any employee who fails to satisfactorily participate in and/or complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the Executive Director.

4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority and school policies.

C. The Public

A member of the public who violates this policy shall be informed of the policy and asked to leave. If necessary, law enforcement officials will be notified and asked to provide an escort.

Adopted: 06/06/2005

Amended: 07/08/2010

Amended: 09/13/2016

Amended: 07/11/2017

Amended: 10/10/2023