

CHEMICAL USE AND ABUSE

304

I. PURPOSE

The purpose of this policy is to assist Lakes International Language Academy (the "School") in its goal to prevent chemical use and abuse by providing procedures for education and intervention. The School Board believes that the School has a role in education, intervention, and prevention of chemical use and abuse for both employees and students.

II. GENERAL STATEMENT OF POLICY

A. Use of Controlled substances, cannabis, toxic substances, and alcohol is prohibited in the School setting in accordance with School policies with respect to, and including exceptions delineated in a Drug-Free Workplace/Drug-Free School.

B. The School's policy is to provide instruction that includes chemical abuse and the prevention of chemical dependency.

C. The school district shall establish and maintain in every school a chemical abuse pre-assessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.

D. The School shall establish and maintain a method to educate and assist employees, students, and others in understanding this policy.

III. DEFINITIONS

A. "Chemical abuse" 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 students normal function in academic, school, or social activities is chronically impaired.

B. "Chemicals" includes but is not limited to alcohol, cannabis, toxic substances, and controlled substances as defined in the school's Drug-Free Workplace/Drug-Free School policy (Policy 102).

C. "Use" includes to sell, buy, manufacture, distribute, dispense, use, or be under the influence of alcohol, cannabis, 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 vehicles used to transport students to and from school or school activities; off-school property at any

Amended: 10/10/2023

CHEMICAL USE AND ABUSE

304

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 district or otherwise engaged in school business.

IV. STUDENTS

A. Instruction

1. The School shall provide instruction in chemical abuse and the prevention of chemical dependency in accordance with State expectations. The School may involve parents, students, health care professionals, state department staff, and members of the community in developing and/or implementing the curriculum.

2. The School shall have age-appropriate chemical education programs for elementary and secondary students that address the social, personal and health consequences of the use of chemicals, promote a sense of individual responsibility, and provide information about effective techniques for resisting peer pressure to use chemicals. These programs may include but are not limited to:

a. the dissemination of information about drug prevention;

b. the implementation of strategies, including strategies to integrate the delivery of services from a variety of providers, to combat illegal alcohol, tobacco and drug use, such as:

(1) referral to family counseling;

(2) early intervention activities that prevent family dysfunction, enhance school performance, and boost attachment to school and family; and

(3) activities, such as community service and service-learning projects that are designed to increase students' sense of community.

B. Reports of Chemical Use and Abuse

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

CHEMICAL USE AND ABUSE

304

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 Executive Director, Principal, or designee, will notify the student's parents. If there is a medical emergency, the administrator will notify the School medical personnel as appropriate.

c. The Executive Director, Principal, or designee will notify law enforcement officials.

d. The designated School administrator and/or law enforcement officials will confiscate the chemicals and/or conduct a search of the student's person, backpack, desk, locker, or other areas within the student's control. Searches by School officials shall be in accordance with School Policy 322 *Search of Student Lockers, Desks, Personal Possessions and Student's Person*.

e. The School 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 employee has reason to believe that a student is abusing, possessing, transferring, distributing or selling chemicals:

a. The employee shall notify the building administrator and shall describe the basis for the suspicion. The building administrator will determine what action should be taken. Action may include conducting an investigation, gathering data, scheduling a conference with the student or parents to discuss the behaviors that have been reported and attempting to ascertain facts regarding chemical abuse.

b. It may be determined that there is no chemical abuse. If it is determined there is chemical abuse, the administrator will determine the appropriate course of action, which may include referral to a counselor; referral to a treatment program; referral for screening, assessment, and treatment planning; participation in support groups; or other appropriate measures.

3. Students involved in the abuse, possession, transfer, distribution or sale of chemicals shall be suspended in compliance with the Student Discipline Policy

CHEMICAL USE AND ABUSE

304

(Policy 308) and the Pupil Fair Dismissal Act., Minn. Stat. 121A.40-121A.56.

4. Searches by school officials in connection with the abuse, possession, transfer, distribution or sale of chemicals will be conducted in accordance with School Board policies related to search and seizure.

C. Pre-assessment Team

1. Every school shall have a chemical abuse pre-assessment team designated by the Executive Director or designee. The team will be composed of classroom teachers, administrators, 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.

2. The team is responsible for addressing the report of chemical abuse problems and making recommendations for appropriate responses.

3. Within 45 days after receiving the case, the team shall make a determination whether to provide the student and the student's parents with information about school and community services in connection with chemical abuse.

D. Data Practices

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minn. Stat. 13.32 and applicable federal law and regulations.

2. Destruction of Records

a. If the pre-assessment team decides not to provide a student and 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 6 months after the determination is made.

b. If the team decides to provide the student and the student's parents with such information, records created or maintained by the team about the student shall be destroyed no later than 6 months after the student is no longer enrolled in the School.

c. This section shall govern destruction of records notwithstanding provisions of the Records Management Act, Minn. Stat. 138.163.

CHEMICAL USE AND ABUSE

304

E. 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.

V. EMPLOYEES

A. The Executive Director or designee shall undertake and maintain a drug-free awareness and prevention program to inform employees about:

1. The dangers and health risks of chemical abuse in the workplace/school.
2. The school's Drug-Free Workplace/Drug-Free School policy.

B. The Executive Director or designee shall notify any federal granting agency required to be notified under the Drug-Free Workplace Act of 1988 within ten (10) days after receiving notice of a 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 Executive Director.

[NOTE: Notification to the federal granting agency within ten (10) days is required by the Drug Free Workplace Act of 1988. 41 U.S.C. 701 and 702.]

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