



Policy Title & Number	417: Chemical Use and Abuse Policy
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Date Created:	July 1, 2018
Past Policy Revision Date(s):	
Related Policy(ies):	
Policy Type (Operating, Board)	Operating

A. Purpose

TrekNorth 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. TrekNorth believes that the public schools have 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.

B. 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 student's normal function in academic, school, or social activities is chronically impaired.
- B. "Chemicals" includes but is not limited to alcohol, toxic substances, and controlled substances as defined in the TrekNorth's Drug-Free Workplace/Drug-Free School policy.
- C. "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 functions, 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.

C. Policy Statement

GENERAL STATEMENT OF POLICY

- A. Use of controlled substances, toxic substances, and alcohol is prohibited in the school setting in accordance with respect to a DrugFree Workplace/Drug-Free School.
- B. TrekNorth will provide chemical abuse and the prevention of chemical dependency education.
- C. TrekNorth shall establish and maintain a program to educate and assist employees, students and others in understanding this policy and the goals of achieving drug-free schools and workplaces.

This policy may be revised at any time without notice. All revisions supersede prior policy and are effective immediately upon approval by the Director.

D. Associated Procedures or Other Information

STUDENTS

A. Instruction

- 1. TrekNorth shall provide an instructional program in chemical use/abuse and the prevention of chemical dependency. The school district shall involve parents, students, health care professionals, state department staff, and members of the community in developing the curriculum.
- 2. TrekNorth may disseminate drug and violence prevention information within the school.
- 3. TrekNorth may have professional development and training for, and involvement of, school personnel, student services personnel in prevention, education, early identification and intervention, mentoring, or rehabilitation referral, as related to drug and violence prevention.

B. Reports of 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 outside medical personnel as appropriate.
 - c. The administrator will notify law enforcement officials
 - 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 an administrator and shall describe the basis for the suspicion. The administrator and/or administrative 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.

3. Students involved in the abuse, possession, transfer, distribution or sale of chemicals shall be suspended in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minn. Stat. §121A.40-121A.56, and proposed for expulsion.

4. Searches by school district 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. TrekNorth's pre-assessment team is designated by the Executive Director/designee. This team will be composed of classroom teachers, administrators, school counselor, social worker, special education director. This team will determine whether to bring in outside resources.
2. The team is responsible for addressing reports of chemical abuse problems, and making recommendations for appropriate responses to the individual reported cases.

D. Data Practices

1. Student data may be disclosed without consent in health and safety emergencies of the individual student pursuant to Minn. Stat. § 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 12 months after the determination is made. (b) If the pre-assessment team decides to provide the student, and in the case of a minor or a dependent student, the student's parent(s) with such information, records created or maintained by the team about the student shall be destroyed not later than 12 months after the student is no longer enrolled in the district. (c) This section shall govern destruction of records notwithstanding provisions of the Records Management Act, Minn. Stat. §138.163.

E. Consent

TrekNorth will seek the consent of a parent or guardian of a minor for medical, mental and other health services to determine the presence of or to treat conditions associated with alcohol and other drug abuse.

EMPLOYEES

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

1. The dangers and health risks of chemical abuse in the workplace.
2. The school district's drug-free workplace/drug-free school policy.

B. The Executive Director/designee 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 violation of a criminal drug statute 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/designee.

E. Associated Forms

Legal References: Minn. Stat. § 13.32 (Educational Data) Minn. Stat. § 121A.25-121A.29 (Chemical Abuse) Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act) Minn. Stat. § 138.163 (Records Management Act) Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion) 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act) 20 U.S.C. §§ 7101-7165 (Safe and Drug-Free Schools and Communities Act) 41 U.S.C. §§ 701-707 (Drug-Free Workplace Act) 34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)

Cross References: MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug Free School) MSBA/MASA Model Policy 506 (Student Discipline) MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person) MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)