

1 ~~Despite constant efforts of the District to prevent student use of alcoholic~~
2 ~~beverages and prevent student attendance at school and school sponsored~~
3 ~~activities after having consumed alcoholic beverages, recent events demonstrate~~
4 ~~that significant numbers of students are consuming such beverages and attending~~
5 ~~school sponsored activities after having consumed such beverages. Such~~
6 ~~behavior poses a serious threat not only to the consuming student's well-being,~~
7 ~~but also to the well-being of the entire school community and others.~~

8 In order to protect the health and safety of students and others, and
9 recognizing the District's custodial and tutelary responsibility for its students,
10 ~~additional~~ efforts ~~are now appear~~ necessary to prevent students from attending
11 school and school-sponsored activities after having consumed alcoholic
12 beverages. **Consumption of alcoholic beverages by students** ~~Such behavior~~
13 poses a serious threat not only to the consuming student's well-being, but also
14 to the well-being of the entire school community and others. Therefore, the
15 following procedures involving the use of breathalyzers shall apply in the
16 Lawrence Public Schools.

17 Procedures During the Normal School Day or at School-sponsored Events
18 (Excluding Dances and Prom)

19 Administrators may determine possible student alcohol consumption
20 without the aid of a breath alcohol testing device by facts which give rise to
21 reasonable suspicion of such use, including the observation of one or more of
22 the following indicators:

- 23 • Slurred speech
- 24 • Unsteady gait
- 25 • Impaired motor control

- 1 • Flushed face
- 2 • Smell of intoxicating liquor on breath, clothing or person
- 3 • Vomiting
- 4 • Unruly conduct

5 If the administrator has reason to believe that a student has consumed
6 alcohol, based on one or more of the above indicators, or other reasonable
7 indicators, the administrator shall require the student to submit to passive
8 breathalyzer testing by a trained District employee designated by the
9 Superintendent to conduct such testing, and the test shall be conducted in
10 privacy and in the presence of an administrator.

11 If the passive breathalyzer test is positive, then an active breathalyzer
12 test will be administered in privacy by a trained District employee in the
13 presence of an administrator.

14 If the active test is positive, indicating the consumption of alcohol, the
15 student may request additional testing which will be two additional tests taken
16 at least two minutes apart. If the student does not request additional testing, or
17 if either of the additional tests is positive, (1) the parent or guardian shall be
18 notified and requested to take the student home; (2) emergency help shall be
19 called if the student is assessed to be at risk for alcohol poisoning or in need of
20 medical assistance; and (3) disciplinary action may be taken as indicated by
21 Board policy, administrative regulations, or the school handbook, including
22 possible suspension or expulsion from school, and/or being barred from
23 participation in specified school-sponsored activities. The blood alcohol content
24 (BAC) of all active breathalyzer tests will be documented and retained by

1 District administrative personnel.

2 If the test is negative:

3 • The student will be allowed to resume activity if the administrator
4 does not suspect the use of other drugs, or unless other disciplinary
5 rules apply to the student's conduct.

6 • If the administrator suspects the use of other drugs, policy JDDA Drug
7 Free Schools shall apply.
8

9 • The student's parent or guardian will be notified that the breathalyzer
10 was administered.

11 If a student who is suspected of having consumed alcohol refuses the

12 breathalyzer test:

13 • The administrator will notify parents or guardian to pick up the student
14 and shall detain the student until the parent or guardian arrives.

15 • The administrator may consider the refusal and all other evidence to
16 determine whether or not the student has consumed alcohol and may
17 discipline the student in the same manner as if the student tested
18 positive.

19 If any student suspected of having consumed alcohol leaves the scene

20 against an administrator's request:

21 • Police will be contacted immediately.

22 • The parent or guardian shall be notified.

23 • Disciplinary action may be taken as indicated by Board Policies JDD
24 or JDDA or in administrative regulations, or the school handbook.

25 If a student on school property or at a school-sponsored activity is

26 detained or taken into custody by law enforcement personnel and in connection

27 therewith tests positive under law enforcement personnel breathalyzer testing,

28 disciplinary action against the student may be taken under Policy JDD.

1 Special Procedures at High School Dances and Prom

- 2 1. All school students upon entering the school building or premises
3 where any school-sponsored dance, including the school Prom, is held
4 will be required to take an initial passive alcohol breath test by use of
5 a portable breath alcohol tester. This test will be administered by
6 trained District personnel designated by the Superintendent.

- 7 2. Should alcohol be detected on the breath of a student by the passive
8 test, the student will be directed to a screening area for additional
9 breath testing using an active breathalyzer. The screening area will be
10 in a room or area where the student can be tested without the process
11 being witnessed by other students. Trained District personnel
12 designated by the Superintendent will administer the active
13 breathalyzer testing in the presence of an administrator.

- 14 3. If the active breathalyzer reading is positive, indicating the
15 consumption of alcohol, the student may then request additional testing
16 which will be two additional tests taken at least two minutes apart. If
17 the student does not request additional testing, or if either of these
18 additional tests is positive, the student will NOT be admitted to the
19 event and the student's parent or guardian will be notified and
20 requested to take the student home. The blood alcohol content (BAC)
21 of all active breathalyzer tests will be documented and retained by
22 District administrative personnel.

- 23 4. If the student has tested positive and the parent or guardian cannot be
24 reached, a District school administrator will keep the student at school
25 (or the location where the event is taking place) until arrangements can
26 be made to get the student home safely. This may include calling the
27 Lawrence Police Department to take the student into protective
28 custody.

- 29 5. Any student testing positive on the active breathalyzer will not be
30 allowed to attend any school-sponsored dances including the Prom for
31 one calendar year from the date of the testing. If it is the last dance of
32 the school year (including the Prom) and the student is a senior, the
33 student also will not be allowed to attend any remaining senior
34 graduation-related activities (e.g., senior breakfast, senior recognition
35 night, graduation ceremonies, senior picnic, and other senior week
36 non-academic activities) that occur after the event where the student
37 has tested positive for alcohol.

- 38 6. If a student on any one occasion tests positive under the procedure in
39 Section 3 above or refuses breath testing, and on a subsequent occasion
40 tests positive under the procedures in Section 3 or refuses breath
41 testing, the student will be sanctioned as provided in Section 5 for the
42 remainder of the time the student is enrolled as a student of the
43 District.

- 1 7. If a student refuses to take any breath test as provided by this Policy,
2 he or she will not be admitted to the event and the student's parents
3 will be contacted and requested to take the student home. A school
4 administrator may consider the refusal and all other evidence such as
5 slurred speech, unsteady gait, impaired motor control, flushed face,
6 smell of intoxicating liquor on breath, clothing or person, vomiting, or
7 unruly behavior, or other reasonable indicators to determine whether or
8 not the student has consumed alcohol, and impose the sanctions listed
9 in Section 5 above.
- 10 8. There is always the possibility that a student may consume alcohol
11 after passing the initial passive or active breathalyzer screening. If
12 school personnel observe behaviors indicating a student may have
13 consumed alcohol such as slurred speech, unsteady gait, impaired
14 motor control, flushed face, smell of intoxicating liquor on breath,
15 clothing or person, vomiting, or unruly behavior, or other reasonable
16 indicators, designated school personnel may administer the active
17 breathalyzer test. If the student tests positive on the active
18 breathalyzer, he or she may request additional testing which will be
19 two additional tests taken at least two minutes apart. If the student
20 does not request additional testing or if either of the additional tests is
21 positive, then the procedures under Sections 3 and 4 above will be
22 followed, and the sanctions under Sections 5 and 6 above will apply.
- 23 9. Records of students failing any active breathalyzer tests or refusing to
24 take any breath tests as herein provided will be maintained by District
25 administrative personnel as educational records but will not be
26 made a part of the student's academic record. Such records shall be
27 used by school personnel only to the extent necessary to administer
28 this Policy and codes of conduct for extra-curricular activities, and the
29 records and information contained therein shall not otherwise be
30 released to anyone except to the affected student and/or the student's
31 parent or guardian.
- 32 10. The term "student" as used herein shall include all guests of students
33 and any such guests will be subject to ban from District student
34 activities as herein provided upon testing positive on active
35 breathalyzer testing or refusing the test.

Special Procedures at Junior High Dances

36 If school personnel observe behaviors indicating a student may have
37 consumed alcohol such as slurred speech, unsteady gait, impaired motor control,
38 flushed face, smell of intoxicating liquor on breath, clothing or person,
39 vomiting, or unruly behavior, or other reasonable indicators, designated school

1 personnel may administer the passive breathalyzer test. If the student tests
2 positive on the passive test as a result of reasonable suspicion, an active or
3 deep-breath test will be administered as outlined in sections 2 and 3 of the high
4 school procedures.

5 If the student does not request additional testing or if either of the
6 additional tests is positive, then the procedures under sections 3 and 4 of the
7 high school procedures will be followed, and the sanctions under section 5 or
8 section 6 of the high school procedures will apply as the facts indicate.-

9 If a student refuses to take any breath test as provided by this Policy, he
10 or she will not be admitted to the event and the student's parents will be
11 contacted and requested to take the student home. A school administrator may
12 consider the refusal and all other evidence such as slurred speech, unsteady gait,
13 impaired motor control, flushed face, smell of intoxicating liquor on breath,
14 clothing or person, vomiting, or unruly behavior, or other reasonable indicators
15 to determine whether or not the student has consumed alcohol, and impose the
16 sanctions listed in section 5 or section 6 of the high school procedures, as the
17 facts indicate.

18 Other Codes of Conduct and Rules Involving Student Consumption of
19 Alcohol

20 The foregoing Special Procedures pertaining to dances and to other extra-
21 curricular activities to which they may be applied will take precedence over any
22 conflicting provisions of other Board policies, codes of conduct and
23 administrative rules promulgated by coaches/sponsors of extra-curricular
24 activities concerning the use of alcohol, but shall not abrogate such provisions
25 which are not conflicting.

1 Superintendent's Additional Discretion For Testing

2 The Superintendent is authorized at his or her discretion to implement or
3 to withhold use of the Special Procedures and sanctions applicable to High
4 School dances and Prom for other school-sponsored extra-curricular
5 activities, including those of other District secondary schools, to the extent
6 deemed necessary. Any decision to expand the special testing procedures to
7 other school-sponsored extra-curricular activities or to other secondary schools
8 will be reported to the Board.

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