

MENOMINEE INDIAN SCHOOL DISTRICT

443.4 RULE

**STUDENT ALCOHOL AND OTHE DRUG ABUSE (AODA)
POLICY ENFORCEMENT GUIDELINES**

The District Administrator in consultation with the school principal and student assistance program counselor shall determine disciplinary action for violations of the AODA policy, including whether to recommend the student's expulsion from school to the Board of Education. Decisions under this rule shall be consistent with the disciplinary guidelines contained in this and other District policies.

A. Sale/Delivery, of Illicit Drugs, Alcohol, Controlled Substances or Look-Alike Drugs

Any student found to be selling or delivering illicit drugs, alcohol, controlled substances, as defined by law, or look-alike drugs in violation of Board policy shall be recommended to the Board of Education for expulsion from the District. The Administrations recommendation to the Board of Education regarding the length of expulsion and any potential early reinstatement opportunity shall take into account the following:

- 1) The student's academic record
- 2) Prior disciplinary actions involving the student, particularly those involving controlled substances or controlled substance analogs
- 3) The student's willingness to participate in treatment programs, including the MISD/Maehnowesekiyah Student Intervention Program
- 4) Opinion of the school counselor, principal and other school officials with regular contact with the student

In the event the Administrators recommends early reinstatement to the Board of Education in the course of expulsion proceedings, such reinstatement provisions shall be in accordance with applicable law and Board policy 447.3.

- B. Unlawful Manufacture, Possession, or Use (including consumption or being under the influence) or Illicit Drugs, Alcohol or Controlled Substances (including inhalants); Misuse of Legal Drugs; and possession of drug paraphernalia (as defined in policy 443.4).
1. First Violation
 - a. A suspension from classes (Note: Stat law currently permits a student to be suspended for five days)
 - b. A report of the violation to the Menominee Tribal Police Department
 - c. Recommend AODA assessment by certified AODA staff and participation in AODA counselor recommendation;
 - d. Access to and review of assessments, recommendations, and participation documents by appropriate District personnel, consistent with law and Board policy;
 - e. Involvement in the District's student assistance program.
 2. Second Violation
 - a. A suspension and possible recommendation by the District Administrator to the Board for the student's expulsion;
 - b. A report of the violation to the Menominee Tribal Police Department;

- c. The terms of the expulsion may include a condition for early reinstatement, consistent with provisions of state law, that the student fulfill the recommendations of an AODA counselor and provide documented professional evidence as well as other reinstatement provisions related to the conduct which resulted in expulsion. The terms of expulsion, procedure for expulsion, and availability of early reinstatement are set forth in Policy 447.3.

APPROVED: October 1994

REVISED: October 1996
July 17, 2006
February 7, 2007