Sparta Area School District

Article 513 - Student Use of Alcohol, Tobacco, Other Drugs and/or Paraphernalia

Students in the Sparta Area School District have the right to attend school and work in an environment free of the non-medical use of alcohol, tobacco and illegal drugs or controlled substances. These substances interfere with the learning environment, the performance of students, and can present a safety concern for the user, other students and staff.

Students of the Sparta Area School District shall not knowingly possess, use, sell, transmit or be under the influence of any illegal or controlled substance, alcoholic beverage, tobacco or intoxicant of any kind on the school grounds or off the school grounds at school activities, functions or events. This includes the making of deals/arrangements for any transaction on or off school grounds or in school vehicles leased or owned. However, drugs authorized for use during school hours, pursuant to State Statute 118.29, shall not be considered a violation of this policy, if used as prescribed by the intended individual. Failure to abide by the policy may result in school and/or civil penalties.

Students who possess, use, sell, transmit or are under the influence of any illegal or controlled substance, alcoholic beverage, tobacco or intoxicant of any kind on the school grounds or off the school grounds at school activities, functions or events, to include the making of deals/arrangements for any transaction on or off school grounds, will be subject to the following consequences. The student may be suspended up to five (5) school days, or up to fifteen (15) days if considered for expulsion. The building administrator will require the student to make an appointment with the Department of Human Services or other private agency for an AODA assessment this may shorten suspension time as per building administrator discretion.

The primary responsibility for dealing with chemical abuse rests with the student and his/her parents, but the school has a legitimate concern when school safety and/or individual student performance (academic and/or behavioral) is affected. The district seeks to help students and staff recognize symptoms of harmful involvement, to intervene in such a way as to make it possible for the sufferer to see the effects of their involvement and to provide opportunity and support for his or her efforts to eliminate chemical abuse.

Students who have a problem which they feel may affect school performance and/or their personal lives are encouraged to voluntarily seek counseling.

Since any student's performance can be affected by harmful usage of chemicals by self, a friend, family member or other, school social workers and counselors are available to assist students in identifying and obtaining resources and support groups available both in and outside of the school setting.

The possession or use of tobacco on school grounds, in vehicles leased or owned by the district, or at school sponsored events, either home or away, is an illegal activity. Use or possession of e-cigarettes and other alternative nicotine delivery devices on school grounds, in vehicles leased or owned by the district, or at school sponsored events, either home or away, is also prohibited. Discipline for the offense will include confiscation of tobacco products and/or nicotine delivery systems, school discipline including detention, in-school suspension, possible out-of-school suspension, and parent and police department notification.
Nonalcoholic beer, wine coolers, look-alike drugs or other such products are also not allowed on school property or at school-sponsored events.

To help insure compliance with this policy, the board authorizes administrators to use a Passive Alcohol Sensor (PAS) according to the following guidelines:

- The PAS is intended to be utilized with the student population. Students will be informed on an annual basis of this policy.
- Administrators may choose to utilize the devices randomly as a condition for attendance at an extracurricular or co-curricular event.
- A PAS may be used to check for breath alcohol, with or without a student’s direct participation. When used without direct participation, it is known as passive breath sampling. An individual may also be asked to blow directly into a mouthpiece or the intake port for active testing. Students who refuse to actively participate in testing when asked, will be subject to suspension during school hours and/or ejection from extracurricular or co-curricular events.
- There may be times when PAS can be used passively to detect alcohol in open containers or in enclosed spaces such as rooms, lockers, etc.
- The device may be utilized in the course of a normal investigation when other symptoms of alcohol use are present.

Furthermore, a student may be required to submit to a mouth swab drug test if a school official has reasonable suspicion that the student has illegal drugs or illegal controlled substances in his/her system in violation of this policy. Such test shall be administered by a law enforcement officer or trained school district employee and shall meet all applicable state and federal law requirements. A student may be disciplined for refusing to submit to such tests where reasonable suspicion exists that a student has illegal drugs, illegal controlled substances or alcohol in their system. Parents will be contacted if their child is subjected to the drug test.

Administrators are authorized to annually measure and record the heart rate, blood pressure and pupil diameter of students. This information can be useful in assessing students for which there is reasonable suspicion of substance abuse in violation of board policy. Parents may opt out of this screening and must inform the school prior to October 1 of their objection. A form for opting out of the screening procedure will be available on the district website and in the high school guidance office.

The fact that a student has been found in violation of this policy, including the results of any drug or alcohol tests administered, shall be kept confidential and only disclosed to the extent allowed by state and federal law.

Legal Reference: Wisconsin Statutes 118.257; 118.29; 118.45
Title IV, No Child Left Behind Act, section 4115
State v. Angelia D.B., 211 Wis. 2d 140 (1997)

Cross Reference: Drug Testing Procedure Checklist
Medical Screening Exemption Form

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