

Alcohol/Breathalyzer Policy

The Board of Education has determined that the use of alcohol by minors represents a serious threat to the welfare of students.

The possession, transportation and distribution of alcoholic beverages during school hours or during school-sponsored activities and events are strictly prohibited.

The consumption of alcohol by students during school hours as well as prior to or during school-sponsored activities and events, and the presence of students who have consumed alcohol on school campus at any time or during school-sponsored, off-campus activities and events, is strictly prohibited. Therefore, in order to deter the possession, transportation and distribution of alcoholic beverages and thereby to strengthen our existing efforts to promote a safe, healthy and productive environment, the District implements the following breathalyzer testing policy with respect to students suspected of consumption of alcohol.

- a. School personnel who have a reasonable suspicion that a particular student has consumed alcohol prior to or during school hours or during a school-sponsored event may recommend, to the administrator or designated District personnel in charge, the use of breathalyzer testing to determine such consumption. Reasonable suspicion shall be based on objective criteria including, but not limited to, admissions, reliable statements of others, alcohol on the breath, impairment of motor control and other outward signs of alcohol use or intoxication.
- b. If the administrator has reason to believe that a student may be intoxicated or has used alcohol, based on one or more of the above indicators as listed in paragraph a, or other reasonable indicators, the administrator shall require the student to submit to passive breathalyzer testing by a trained District employee designated by the Superintendent to conduct such testing, and the test shall be conducted in privacy and in the presence of an administrator.

If the test is positive, indicating the consumption of alcohol, the student may request that the test be repeated. If the second test is also positive, (1) the parent or guardian shall be notified and requested to take the student home; (2) emergency help shall be called if the student is assessed to be at risk for alcohol poisoning or in need of medical assistance; and (3) disciplinary action may be taken as indicated in the Code of Conduct. If the second test is negative a third will be administered and, if positive, the above protocol will be followed.

- c. If a student who is suspected of being under the influence of alcohol or who is suspected of having consumed alcohol refuses the breathalyzer test:
- ❖ The administrator will notify parents or guardian to pick up the student and shall detain the student until the parent or guardian arrives.
 - ❖ The administrator may consider the refusal and all other evidence to determine whether or not the student is intoxicated or has consumed alcohol and may discipline the student in the same manner as if the student tested positive.

If any student suspected of intoxication or use of alcohol leaves the scene against an administrator's request:

- ❖ Police will be contacted immediately.
- ❖ The parent or guardian shall be notified.
- ❖ Disciplinary action may be taken as stated in the School Handbook and Code of Conduct.

If a student in attendance at school or a school-sponsored event, or in transit to or from school or a school-sponsored event, is detained or taken into custody by law enforcement personnel and in connection therewith tests positive under law enforcement personnel breathalyzer testing, disciplinary action against the student may be taken.

As noted above, the consumption, possession, transportation and distribution of alcoholic beverages during school hours, on school property, or during school-sponsored activities and events is strictly prohibited. Any student determined to have possessed, transported or distributed alcoholic beverages during school hours, or during school-sponsored activities and events either on or off school premises shall be subject to immediate suspension and further discipline as provided in Section 3214 of the Education law of the State of New York.

Cross-reference: 4317 Teaching about Drugs, Alcohol and Tobacco
5300 Student Conduct
5312.1 Drug and Alcohol Abuse

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